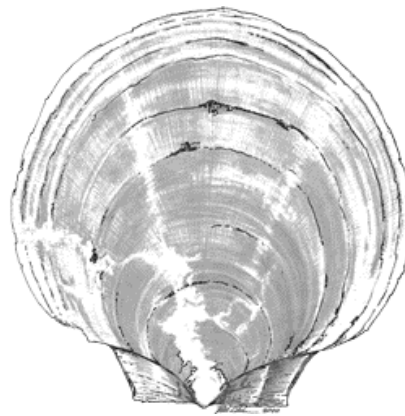


DECISION DOCUMENT
For
Framework 34 to the
Atlantic Sea Scallop Fishery Management Plan



This document was developed to help the Council select final preferred alternatives for Framework 34.

December 6, 2021

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 Framework 34 and their analyzed impacts on target species, non-target species, protected resources, the physical environment (EFH), and human communities (economic and social impacts).

1. Select the *preferred alternative* for overfishing limit and acceptable biological catch (Section 4.1).
2. Select *preferred alternatives* for Northern Gulf of Maine management and total allowable landings in FY 2022 and FY 2023 (Section 4.2).
3. Select the *preferred alternative* for fishery specifications for FY 2022 and FY 2023 (default), including access area and DAS allocations (Section 4.3).
4. Select the *preferred alternative* for LAGC IFQ access area trip allocations (Section 4.4).
5. Select the *preferred alternative* for measures to reduce fishery impacts, which asks where RSA compensation fishing can occur (Section 4.5).
6. Motion to submit Framework 34 to NOAA Fisheries (Council meeting).

4.1 – Action 1 – Overfishing Limit and Acceptable Biological Catch

Section 4.1 – Action 1 – Overfishing Limit and Acceptable Biological Catch <i>Choose one alternative.</i>		Preferred by		
		PDT	AP	CTE
Alternative 1 (Sec. 4.1.1)	No Action (default OFL and ABC for FY 2022 from Framework 33)			
Alternative 2 (Sec. 4.1.2)	Updated OFL and ABC for FY 2022 and FY 2023.	X	X	X
Decisions/Questions/Information to Consider				
Action 1 considers updating OFL and ABC estimates using the most recent survey information and updated reference points from the 2020 scallop assessment update. The SSC recommended updated OFL and ABC values for 2022 and 2023 (default) at its meeting on Oct. 13, 2021. The Atlantic sea scallop resource is considered healthy; the stock is not overfished, and overfishing is not occurring.				
Other important Considerations/Draft EA References				
<ul style="list-style-type: none"> • 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 • Social impacts: Section 6.6.2.1 				

4.2 – Action 2 – Northern Gulf of Maine Management and TAL Setting

Section 4.2 – Action 2 – Northern Gulf of Maine Management and TAL Setting <i>If Alternative 2 is selected, choose one target F option (Option 1 – Option 3)</i>		Preferred by		
		PDT	AP	CTE
Alternative 1 (Sec. 4.2.1)	No Action <i>FW33 Default TAC of 74,000 pounds in FY2022. LAGC share 72,000. Stellwagen Bank remains closed. No TAC for FY2023.</i>			
Alternative 2 (Sec. 4.2.2)	<i>Re-open Stellwagen Bank and set NGOM TAL, with set-asides to support research, monitoring, and a directed LAGC fishery</i>	X	X	X
Alternative 2 Section 4.2.2 – Select Target F rate for NGOM TAL				
<i>Option 1</i> (4.2.2.1)	<i>Set NGOM TAL at F=0.15 TAL=559,974 pounds, NGOM Set-Aside 519,895 pounds 2023 Default: 389,921 pounds</i>	X	X	
<i>Option 2</i> (4.2.2.2)	<i>Set NGOM TAL at F=0.18 TAL=661,387 pounds, NGOM Set-Aside 621,307 pounds 2023 Default: 465,980 pounds</i>			X
<i>Option 3</i> (4.2.2.3)	<i>Set NGOM TAL at F=0.20 TAL=727,525 pounds, NGOM Set-Aside 687,446 pounds 2023 Default: 515,584 pounds</i>			
Decisions/Questions/Information to Consider				
<p>The PDT notes that growth assumptions for the Stellwagen Bank area of the NGOM are uncertain, and could be overestimated. Stellwagen Bank holds high densities of scallops, is where most of the fishing is expected to occur in 2022 after being closed for two years. The PDT notes that there have been higher levels of mortality in high density areas, such as the NLS-West. Scallops in the Stellwagen area are relatively young, and still have growth potential. The PDT recommends using a conservative F rate in the first year of implementing a new management regime for this area, and to use data from FY2022 to inform management for FY2023. The first year of a re-opening should use a low F, and plan to ramp up F in the following years. Stellwagen is the most productive area in the NGOM and there are no other strong year classes in the management unit.</p>				
Other important Considerations/Draft EA References				
<ul style="list-style-type: none"> • 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 – Fishery Specifications

Section 4.3 – Action 3 – Fishery Specifications <i>Choose one alternative. If Alternative 2 or 3 is selected, choose one DAS option.</i> <i>The Council may select a DAS option within the range of 20 – 26 DAS.</i>		Preferred by		
		PDT	AP	CTE
Alternative 1 (Sec. 4.3.1)	<i>No Action</i> Default measures from Framework 33			
Alternative 2 (Sec. 4.3.2)	3 Access Area Trips with Hudson Canyon Closed			
<i>Option 1</i> (4.3.2.1)	Open Areas Fished at F=0.34 (20 DAS)			
Sensitivity (4.3.2 at 22 DAS)	Open Areas Fished at F=0.39 (22 DAS)			
Sensitivity (4.3.2 at 24 DAS)	Open Areas Fished at F=0.42 (24 DAS)			
<i>Option 2</i> (4.3.2.2)	Open Areas Fished at F=0.47 (26 DAS)			
Alternative 3 (Sec. 4.3.3)	3 Access Area Trips with Hudson Canyon Open	X	X	X
<i>Option 1</i> (4.3.3.1)	Open Areas Fished at F=0.33 (20 DAS)			
Sensitivity (4.3.3 at 22 DAS)	Open Areas Fished at F=0.37 (22 DAS)			
Sensitivity (4.3.3 at 24 DAS)	Open Areas Fished at F=0.39 (24 DAS)			X
<i>Option 2</i> (4.3.3.2)	Open Areas Fished at F=0.45 (26 DAS)		X	
Decisions/Questions/Information to Consider				
<p>The Scallop PDT does not recommend setting DAS at 26. The PDT does not see a biological justification for keeping the Hudson Canyon Closed. Closing the Hudson Canyon is expected to lead to additional fishing pressure on Georges Bank and could lead to higher levels of bycatch, especially northern windowpane and GB yellowtail flounder. Increasing F in 2022 has consequences for FY 2023 and FY 2024. There has been below-average recruitment in the Mid-Atlantic since 2013. Recruitment on Georges Bank has been average for the last few years, but prior to that recruitment has been below-average since 2012.</p>				
Other important Considerations/Draft EA References				
<ul style="list-style-type: none"> • Biological impacts: Section 6.2.4 • 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 • Social impacts: Section 6.6.2.3 				

4.4 – Action 4 – Access Area Trip Allocations to the LAGC IFQ Component

Section 4.4 – Action 4 – Access Area Trip Allocations to the LAGC IFQ Component <i>Choose one alternative.</i>		Preferred by		
		PDT	AP	CTE
Alternative 1 (Sec. 4.4.1)	<i>No Action</i>			
Alternative 2 (Sec. 4.4.2)	<i>Update LAGC IFQ Access Area Trip Allocations, Distribute Closed Area II Access Area Allocation to CAI Only</i>		X	X
Alternative 3 (Sec. 4.4.3)	<i>Update LAGC IFQ Access Area Trip Allocations, Distribute Closed Area II Access Area Allocation evenly across NLS-South, and Closed Area I</i>			
Decisions/Questions/Information to Consider				
<p>For this action, the LAGC IFQ share of the NLS-S access area (5.5%) would be allocated as 357 trips. The decision in Alternative 2 and Alternative 3 is where the LAGC IFQ share of Closed Area II allocation would be available. In Alternative 2, all of the Closed Area II Allocation would go to Closed Area I only (714 trips). In Alternative 3, the Closed Area II Allocation would be split between the NLS-S and Closed Area I (357 trips to each area).</p> <p>All specifications options in Section 4.3 maintain Closed Area I as a rotational area and designate the area for LAGC access area trips and RSA compensation fishing only.</p> <p>The PDT did not express a preference for this action. From a biological perspective, fishing is expected to be concentrated on Georges Bank for the next several years. As with DAS, there are trade-offs with how hard CAI is fished in FY 2022, and what the area can support in FY 2023.</p>				
Other important Considerations/Draft EA References				
<ul style="list-style-type: none"> • Biological impacts: Section 6.2.5 • 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 • Social impacts: Section 6.6.2.4 				

4.5 – Action 5 – Additional Measures to Reduce Fishery Impacts (Where RSA Comp Fishing Can Occur)

Section 4.5 – Action 5 – Additional Measures to Reduce Fishery Impacts RSA Compensation Fishing <i>Choose one alternative.</i>		Preferred by		
		PDT	AP	CTE
Alternative 1 (Sec. 4.5.1)	<i>No Action</i> RSA Compensation fishing in open bottom only, no access areas.			
Alternative 2 (Sec. 4.5.2)	<i>Open areas, plus NLS-South, Closed Area II, and Closed Area I, with limited RSA compensation fishing in the NGOM Management Area</i>	X	X	X
Decisions/Questions/Information to Consider				
<p>This decision considers where scallop RSA compensation fishing can occur in FY2022. Under Alternative 2, any compensation fishing that occurs in Closed Area II would be limited to from June 1, 2022 – August 15, 2022.</p> <p>The PDT prefers allowing RSA compensation fishing in more areas than just open bottom to allow fishing in higher density access areas which is expected to reduce impacts on the resource. The PDT notes that there is limited biomass in CAI, and discussed ideas for limiting impacts of RSA fishing in this area.</p>				
Other important Considerations/Draft EA References				
<ul style="list-style-type: none"> • Biological impacts: Section 6.2.6 • Non-target species impacts: Section 6.3.5 • 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 • Social impacts: Section 6.6.2.5 				

Table 1 - Summary of Specifications Options (Action 3)

Alternatives in FW34	Description	Overall F rate	Open area F	Annual Projected Landings (APL) (LBS)	APL w/ set- asides removed (LBS)	LA Share (94.5%) (LBS)	LAGC IFQ Share (5.5%) (LBS)	Estimated Revenue using 2021 price data (Mill. \$, in 2021 dollars)
Alt. 1 – 18 DAS <i>4.3.1</i>	No Action	0.072	0.28	19,940,812	17,319,516	16,366,942	952,573	\$269.63
Alt. 2 – 20 DAS <i>4.3.2.1</i>	3 FT AA 15k Trips, HCS Closed, 20 DAS	0.229	0.34	31,667,199	29,045,903	27,448,379	1,597,525	\$409.61
Alt. 2 – 22 DAS <i>4.3.2 Sensitivity</i>	3 FT AA 15k Trips, HCS Closed, 22 DAS	0.233	0.39	33,150,910	30,529,615	28,850,486	1,679,129	\$427.02
Alt. 2 – 24 DAS <i>4.3.2 Sensitivity</i>	3 FT AA 15k Trips, HCS Closed, 24 DAS	0.24	0.42	34,605,961	31,984,665	30,225,509	1,759,157	\$443.91
Alt. 2 – 26 DAS <i>4.3.2.2</i>	3 FT AA 15k Trips, HCS Closed, 26 DAS	0.244	0.47	36,030,147	33,408,852	31,571,365	1,837,487	\$460.18
Alt. 3 – 20 DAS <i>4.3.3.1</i>	3 FT AA 15k Trips, HCS Open, 20 DAS	0.23	0.33	31,649,562	29,028,267	27,431,712	1,596,555	\$409.33
Alt. 3 – 22 DAS <i>4.3.3 Sensitivity</i>	3 FT AA 15k Trips, HCS Open, 22 DAS	0.233	0.37	33,142,092	30,520,796	28,842,152	1,678,644	\$426.91
Alt. 3 – 24 DAS <i>4.3.3 Sensitivity</i>	3 FT AA 15k Trips, HCS Open, 24 DAS	0.24	0.39	34,039,373	31,418,077	29,690,083	1,727,994	\$437.37
Alt. 5 – 26 DAS <i>4.3.3.2</i>	3 FT AA 15k Trips, HCS Open, 26 DAS	0.246	0.45	36,043,375	33,422,079	31,583,865	1,838,214	\$460.40

Table 2 - Summary of Impacts for Valued Ecosystem Components (VECs) in Framework 34

Actions & Alternatives		Options	Direct and indirect impacts				
			Target Species	Non-target Species	Protected Resources	Physical Env. (EFH)	Economic and Social Impacts
Action 1: OFL and ABC	Alt. 1 – No Action		Low +	Negligible	Low -	Negligible	Economic: Neg. to L- Social: Moderate Negative
	Alt. 2 – Update OFL and ABC		Low +	Negligible	Low -	Negligible	Econ: Neg. to L+ Social: Slight Negative
Action 2: NGOM TAL Setting	Alt. 1 – No Action		Low –	Negligible	Low – to Negligible	Low -	Economic: Negative Social: Negative
	Alt. 2 – Re-open Stellwagen Bank, Set TAL	Option 1 – F=0.15	Most Positive	Negligible	Low – to Negligible	Low -	Economic: High + Social: Most Positive
		Option 2 - F=0.18	Positive	Negligible	Low – to Negligible	Low -	Economic: High + Social: Positive
		Option 3 – F=0.20	Least Positive	Negligible	Low – to Negligible	Low -	Economic: High + Social: Least Positive
Action 3 – Specifications	Alt. 1 – No Action		Low – to Negligible	Low +	Low – to Negligible	Low -	Economic: High - Social: Negative
	Alt. 2 – NYB and HCS closed. 3 trips, 1 trip to the NLS-South, 2 to CAII (SW+EXT)	Option 1 – F=0.34 (20 DAS)	Low +	Low – to Negligible	Low – to Negligible	Low -	Economic: Moderate - Social: Positive
		Option 2 – F=0.47 (26 DAS)	Low + to Low -	Low – to Negligible	Low – to Negligible	Low -	Economic: Moderate + Social: Positive
	Alt. 3 – NYB closed. 3 trips, 1 trip to the NLS-South, 2 to CAII (SW+EXT)	Option 1 – F=0.33 (20 DAS)	Low +	Low – to Negligible	Low – to Negligible	Low -	Economic: Moderate - Social: Positive
		Option 2 – F=0.45 (26 DAS)	Low + to Low -	Low – to Negligible	Low – to Negligible	Low -	Economic: Moderate + Social: Positive

Actions & Alternatives		Options	Direct and indirect impacts			
			Target Species	Non-target Species	Protected Resources	Physical Env. (EFH)
Action 4 – LAGC IFQ access area allocations	Alt. 1 – No Action	Low – to Negligible	Negligible	Low – to Negligible	Low -	Economic: Negative Social: Negative
	Alt. 2 – Update LAGC IFQ Access Area Trip Allocations, Distribute Closed Area II Access Area Allocation to CAI Only	Low +	Negligible	Low – to Negligible	Low – to Negligible	Economic: Negligible to Slight + Social: Slight Positive, more pos than Alt 3
	Alt. 3 – Update LAGC IFQ Access Area Trip Allocations, Distribute Closed Area II Access Area Allocation evenly across the NLS-South, and Closed Area I	Low +	Negligible	Low – to Negligible	Low – to Negligible	Economic: Negligible to Slight + Social: Slight Positive
Action 5 – RSA Comp Fishing	Alt. 1 – No Action (Open bottom only)	Negligible	Negligible	Low – to Negligible	Negligible	Economic: Negligible Social: Slight positive
	Alt. 2 – Allow RSA compensation fishing in NLS-South, Closed Area II, and Closed Area I, with limited RSA compensation fishing in the NGOM Management Area	Negligible	Negligible	Low – to Negligible	Negligible to Low +	Economic: Positive Social: Positive