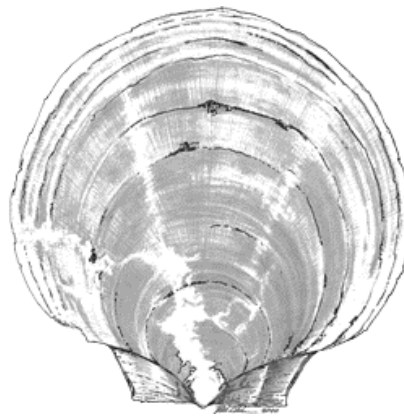


DECISION DOCUMENT

For

Framework 33 to the

Atlantic Sea Scallop Fishery Management Plan



This document was developed to help the Council select final preferred alternatives for Framework 33.

January 25, 2021

Version 1.2 – Council Meeting Copy

Anticipated Council Action:

Prior to selecting final preferred alternatives, the Council will receive a presentation on measures under consideration in Framework 33 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 total allowable catch in FY 2021 and FY 2022 (Section 4.2). Separate decisions for FY2021 and FY2022.
3. Select the *preferred alternative* for fishery specifications, 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 where RSA compensation fishing can occur (Section 4.5.1).
6. Select the *preferred alternative* for reducing impacts on Georges Bank yellowtail flounder and northern windowpane flounder (Section 4.5.2).
7. Motion to submit Framework 33 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 2021 from Framework 32)			
Alternative 2 (Sec. 4.1.2)	Updated OFL and ABC for FY 2021 and FY 2022.	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 2021 and 2022 (default) at its meeting on Nov. 23, 2020. 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 TAC Setting

Section 4.2 – Action 2 – Northern Gulf of Maine TAC Setting		Preferred by		
<i>If Alternative 2 is selected, choose one option in Section 4.2.2.1, and one option for 4.2.2.2</i>		PDT	AP	CTE
Alternative 1 (Sec. 4.2.1)	No Action <i>FW32 Default TAC of 265,000 pounds in FY2021. LAGC share 167,500. No TAC for FY2022.</i>			
Alternative 2 (Sec. 4.2.2)	Set NGOM TAC, with first 70,000 lbs to LAGC, then 50/50 split between LA and LAGC	X	X	X
Alternative 2 Section 4.2.2.1 – Select NGOM TAC for FY 2021				
<i>Option 1</i> (4.2.2.1.1)	<i>Set NGOM TAC at F=0.18</i> TAC=160,000 pounds, LAGC share 115,000 pounds			
<i>Option 2</i> (4.2.2.1.2)	<i>Set NGOM TAC at F=0.20</i> TAC=175,000 pounds, LAGC share 122,500 pounds		X	X
<i>Option 3</i> (4.2.2.1.3)	<i>Set NGOM TAC at F=0.25</i> TAC=210,000 pounds, LAGC share 140,000 pounds			
Alternative 2 Section 4.2.2.2 – Select NGOM TAC for FY 2022 (default measures)				
<i>Sub-Option 1</i> (4.2.2.2.1)	<i>Set the NGOM TAC for 2022 using F rate selected for FY2021 (4.2.2.1), close Stellwagen Bank.</i> F=0.18, TAC=70,000 pounds, LAGC share 70,000 pounds F=0.20, TAC=74,000 pounds, LAGC share 72,000 pounds F=0.25, TAC=85,000 pounds, LAGC share 77,500 pounds		X	X
<i>Sub-Option 2</i> (4.2.2.2.2)	<i>Set the NGOM TAC for 2022 at zero.</i> F=0, TAC=0 pounds, LAGC share 0 pounds.			
Decisions/Questions/Information to Consider				
<p>If the Council selects Alternative 2, it will need to select a TAC for FY2021 and for FY2022 (separate decisions). The FY 2022 TAC is temporary and would be replaced by new measures that will be developed in the next framework. All options would result in the continued closure of Stellwagen Bank in the NGOM until new measures in future actions are implemented.</p> <p>The 2021 default General Category TAC that will go into place on April 1, 2021 is higher than the Committee's preferred General Category TAC by 45,000 pounds. If an overage occurs in 2021, there would be a pound for pound payback in a future fishing year (if Amendment 21 is implemented, from the NGOM Set-Aside). From an accounting perspective, the TAC for the NGOM is expected to increase substantially when Stellwagen Bank reopens, and any overage in 2021 could be absorbed in a future fishing year.</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		Preferred by		
<i>Choose one alternative. If Alternative 2,3,4, or 5 is selected, choose one DAS option.</i>		PDT	AP	CTE
Alternative 1 (Sec. 4.3.1)	No Action Default measures from Framework 32			
Alternative 2 (Sec. 4.3.2)	3.5 Access Area Trips, with 1.5 trips to Nantucket Lightship South			
<i>Option 1</i> (4.3.2.1)	Open Areas Fished at F=0.3 (24 DAS)			
<i>Option 2</i> (4.3.2.2)	Open Areas Fished at F=0.33 (26 DAS)			
Alternative 3 (Sec. 4.3.3)	Four Access Area Trips, with 1 trip to Closed Area II			
<i>Option 1</i> (4.3.2.1)	Open Areas Fished at F=0.3 (24 DAS)			
<i>Option 2</i> (4.3.2.1)	Open Areas Fished at F=0.33 (26 DAS)			
Alternative 4 (Sec. 4.3.4)	Four Access Area Trips, with 1 trip to Nantucket Lightship South			
<i>Option 1</i> (4.3.4.1)	Open Areas Fished at F=0.3 (24 DAS)			
<i>Option 2</i> (4.3.4.1)	Open Areas Fished at F=0.33 (26 DAS)			
Alternative 5 (Sec. 4.3.5)	Four Access Area Trips, with 1 trip to the Mid-Atlantic Access Area		*	X
<i>Option 1</i> (4.3.5.1)	Open Areas Fished at F=0.3 (24 DAS)			X
<i>Option 1</i> (4.3.5.2)	Open Areas Fished at F=0.33 (26 DAS)		X	
Decisions/Questions/Information to Consider				
As part of the recommendation for Alternative 5, the Scallop Committee recommends reducing the 2022 default trips from the MAAA and NLS-South to just the MAAA. The * is to note that the Scallop AP recommended a modified version of Alt. 5 that would allow 9,000 pounds of the FT LA NLS-South allocation to be FLEXed to CAI. The Scallop PDT recommends setting DAS at 24 (Option 1 in Alternatives 2-5). In the context of the four alternatives developed in this action, the PDT recommends 1.5 trips in the NLS-South.				
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. If Alternative 2 is selected, choose one option.</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
Alternative 3 (Sec. 4.4.3)	<i>Update LAGC IFQ Access Area Trip Allocations, Distribute Closed Area II Access Area Allocation evenly across the Mid-Atlantic Access Area, NLS-South, and Closed Area I</i>			
Decisions/Questions/Information to Consider				
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. The * is to note that the AP offered support for Alternative 2 if the Committee supported the AP's recommendation for Action 3.				
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 5.1 – RSA Compensation Fishing

Section 4.5 – Action 5.1 – RSA Compensation Fishing		Preferred by		
		PDT	AP	CTE
Alternative 1 (Sec. 4.5.1.1)	<i>No Action</i> RSA Compensation fishing in open bottom only, no access areas.			
Alternative 2 (Sec. 4.5.1.2)	<i>Open areas, plus Mid-Atlantic Access Area, NLS-South, Closed Area II, and Closed Area I, with limited RSA compensation fishing in the NGOM Management Area</i>		X	X
Decisions/Questions/Information to Consider				
This decision considers where scallop RSA compensation fishing can occur in FY2021. Under Alternative 2, any compensation fishing that occurs in Closed Area II would be limited to from June 1, 2021 – August 15, 2021.				
Other important Considerations/Draft EA References				
<ul style="list-style-type: none"> • Biological impacts: Section 6.2.6.1 • Non-target species impacts: Section 6.3.5.1 • Protected resource impacts: Section 6.4.5.1 • 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 				

4.6 – Action 4.5.2 – Seasonal Closure of Closed Area II Access Area to Reduce Impacts on Georges Bank Yellowtail Flounder and Northern Windowpane Flounder

Section 4.5 – Action 5.2 – Seasonal Closure of Closed Area II Access Area to Reduce Impacts on Georges Bank Yellowtail Flounder and Northern Windowpane Flounder <i>Choose one alternative.</i>		Preferred by		
		PDT	AP	CTE
Alternative 1 (Sec. 4.5.2.1)	<i>No Action</i> No change to the current Aug. 15 – Nov. 15 closure in CAII.			
Alternative 2 (Sec. 4.5.2.2)	<i>Extend Seasonal Closures of Closed Area II Access Area through November 30th in FY 2021, Include CAII-Ext in Seasonal Closure</i>	X	X	X
Decisions/Questions/Information to Consider				
This closure would be in place for one year only and expire after the 2021 fishing year.				
Other important Considerations/Draft EA References				
<ul style="list-style-type: none"> • Biological impacts: Section 6.2.6.1 • Non-target species impacts: Section 6.3.5.1 • Protected resource impacts: Section 6.4.5.1 • 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 FW33	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 (Mill. \$, in 2020 dollars)
Alt. 1 – 18 DAS 4.3.1	No Action	0.054	0.24	19,069,986	17,096,848	16,156,522	940,327	\$207.04
Alt. 2 – 24 DAS 4.3.2.1	3.5 FT AA Trips, 1.5 NLS-S, 24DAS	0.205	0.30	37,068,525	35,095,387	33,165,141	1,930,246	\$362.25
Alt. 2 – 26 DAS 4.3.2.2	3.5 FT AA Trips, 1.5 NLS-S, 26DAS	0.210	0.33	38,281,067	36,307,930	34,310,994	1,996,936	\$371.36
Alt. 3 – 24 DAS 4.3.3.1	4 FT AA Trips, 1 CAII, 24DAS	0.220	0.30	40,104,290	38,131,153	36,033,939	2,097,213	\$393.03
Alt. 3 – 26 DAS 4.3.3.2	4 FT AA Trips, 1 CAII, 26DAS	0.222	0.33	41,316,833	39,343,695	37,179,792	2,163,903	\$401.84
Alt. 4 – 24 DAS 4.3.4.1	4 FT AA Trips, 1 NLS-S, 24DAS	0.200	0.30	40,152,792	38,179,655	36,079,774	2,099,881	\$394.45
Alt. 4 – 26 DAS 4.3.4.2	4 FT AA Trips, 1 NLS-S, 26DAS	0.202	0.33	41,380,767	39,407,629	37,240,210	2,167,420	\$403.33
Alt. 5 – 24 DAS 4.3.5.1	4 FT AA Trips, 1 MAAA, 24DAS	0.222	0.30	40,044,765	38,071,628	35,977,688	2,093,940	\$387.07
Alt. 5 – 26 DAS 4.3.5.2	4 FT AA Trips, 1 MAAA, 26DAS	0.229	0.33	41,272,740	39,299,603	37,138,125	2,161,478	\$396.06

Table 2 - Summary of Impacts for Valued Ecosystem Components (VECs) in Framework 33

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: Negative
	Alt. 2 – Update OFL and ABC		Low +	Negligible	Low -	Negligible	Econ: Neg. to L+ Social: Negative
Action 2: NGOM TAC Setting	Alt. 1 – No Action		Low -	Negligible	Low – to Negligible	Low -	Economic: Low + Social: Positive
	Alt. 2 – Set NGOM TAC, with first 70,000 lbs to LAGC, then 50/50 split between LA and LAGC	Option 1 – F=0.18	Low – to Negligible	Negligible	Low – to Negligible	Low -	Economic: Low + Social: Positive
		Option 2 - F=0.20	Low -	Negligible	Low – to Negligible	Low -	Economic: Low + Social: Positive
		Option 3 – F=0.25	Low -	Negligible	Low – to Negligible	Low -	Economic: Low + Social: Positive
		Sub-Option 1 – FY2020 Default	Low -	Negligible	Low – to Negligible	Low -	Economic: Low + Social: Mixed
		Sub-Option 2- FY2022 TAC=0	Positive	Negligible	Low – to Negligible	Negligible	Economic: Low - Social: Mixed
Action 3 – Specifications	Alt. 1 – No Action		Positive	Low +	Low + to Low -	Low -	Economic: Low - Social: Negative
	Alt. 2 - 3.5 trips, 1.5 trip to the NLS-South	Option 1 – F=0.3 (24 DAS)	Low +	Low – to Negligible	Low + to Low -	Low -	Economic: Positive Social: Positive
		Option 2 – F=0.33 (26 DAS)	Low +	Low – to Negligible	Low + to Low -	Low -	Economic: Positive Social: Positive
	Alt. 3 – 4 trips, 1 trip in CAII	Option 1 – F=0.3 (24 DAS)	Low +	Low – to Negligible	Low – to Negligible	Low -	Economic: Positive Social: Positive
		Option 2 – F=0.33 (26 DAS)	Low +	Low – to Negligible	Low – to Negligible	Low -	Economic: Positive Social: Positive
	Alt. 4 – 4 trips, 1 trip in NLS-South	Option 1 – F=0.3 (24 DAS)	Low +	Low – to Negligible	Low – to Negligible	Low -	Economic: Positive Social: Positive
		Option 2 – F=0.33 (26 DAS)	Low +	Low – to Negligible	Low – to Negligible	Low -	Economic: Positive Social: Positive
	Alt 5 – 4 trips, 1 trip in the MAAA	Option 1 – F=0.3 (24 DAS)	Low +	Low – to Negligible	Low + to Low -	Low -	Economic: Positive Social: Positive
		Option 2 – F=0.33 (26 DAS)	Low +	Low – to Negligible	Low + to Low -	Low -	Economic: Positive Social: Positive

Actions & Alternatives		Options	Direct and indirect impacts				Economic and Social 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	Low + to 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 +	Low + to Negligible	Low – to Negligible	Low – to Negligible	Economic: Positive Social: Slight Positive
	Alt. 3 – Update LAGC IFQ Access Area Trip Allocations, Distribute Closed Area II Access Area Allocation evenly across the Mid-Atlantic Access Area, NLS-South, and Closed Area I		Low +	Low + to Negligible	Low – to Negligible	Low – to Negligible	Economic: Positive Social: Slight Positive
Action 5.1 – RSA Comp Fishing	Alt. 1 – No Action (Open bottom only)		Negligible	Low – to Negligible	Low – to Negligible	Negligible	Economic: Negligible Social: Slight positive
	Alt. 2 – Allow RSA compensation fishing in the Mid-Atlantic Access Area, NLS-South, Closed Area II, and Closed Area I, with limited RSA compensation fishing in the NGOM Management Area		Negligible	Low + to Negligible	Low – to Negligible	Negligible to Low +	Economic: Positive Social: Positive
Action 5.2 – Seasonal Closure of CAII access area to reduce impacts on Georges Bank Yellowtail flounder and Northern windowpane flounder	Alt. 1 – No Action		Negligible	Low – to Negligible	Negligible	Negligible	Economic: Negligible Social: Slight positive
	Alt. 2 – Extend Seasonal Closures of Closed Area II Access Area through November 30th in FY 2021, Include CAII-Ext in Seasonal Closure		Negligible	Low + to Positive	Negligible	Negligible	Economic: Negligible Social: Positive