Atlantic Sea Scallop Fishery Management Plan

Amendment 21

(Northern Gulf of Maine and Limited Access General Category Amendment)

Alternatives in Development

February 19, 2020

1.0 EXECUTIVE SUMMARY

To be completed.

2.0 TABLE OF CONTENTS

2.1 TABLES

No table of figures entries found.

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3.0 BACKGROUND AND PURPOSE

3.1 BACKGROUND

To be completed.

3.2 PURPOSE AND NEED

To be completed.

3.3 VISION FOR LAGC COMPONENT

Reaffirming the Amendment 11 vision statement for the LACG as:

> *"a fleet made up of relatively small vessels, with possession limits to maintain the historical character of this fleet and provide opportunities to various participants including vessels from smaller coastal communities."*

3.4 GOALS AND OBJECTIVES:

3.4.1 Northern Gulf of Maine Management

1. Support a growing directed scallop fishery in federal waters in the NGOM.
2. Allow for orderly access to the scallop resource in this area by the LAGC and LA components.
3. Establishing mechanisms to set allowable catches and accurately monitor catch and bycatch from the NGOM.

3.4.2 LAGC IFQ Trip Limit and IFQ Transfers

DECISION: Does Committee support using language from the A21 scoping document? If so, this should be stated in a motion.

1. Improve overall economic performance of the LAGC IFQ component.
2. Allow for continued participation in the General Category fishery at varying levels.

3.5 NEPA AND PUBLIC SCOPING

3.5.1 Notice of Intent and Scoping Process

NMFS published a Notice of Intent (NOI) on March 1, 2019 to announce its intent to develop Amendment 21 and prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS) to analyze the impacts of the proposed management alternatives. The announcement stated that Amendment 21 would "consider measures related to the Northern Gulf of Maine Scallop Management Area, Limited Access General Category individual fishing quota possession limits, and the ability of Limited Access vessels with Limited Access General Category individual fishing quota permits to transfer quota to Limited Access General Category individual fishing quota-only vessels." The scoping period extended from XXXXXXX and included ten scoping hearings

3.5.2 NEPA Compliance

As part of the scoping document, the Council stated at it will either prepare an EA or an EIS. The processes for competing an Environmental Assessment and an Environmental Impact Statement are different. In general, and EIS takes longer to complete. The decision on whether or not an EA or an EIS is appropriate for this action will, in part, depend on the alternatives that the Council develops in Amendment 21.

> *"In accordance with the National Environmental Policy Act (NEPA), the Council will prepare an Environmental Assessment (EA), and may prepare an Environmental Impact Statement (EIS), that will analyze the impacts of this amendment on the affected biological, physical, and human environment.*
>
> *This scoping document is to inform you of the Council's intent to gather information necessary for the preparation of an EA or EIS. Specifically, your input is needed to identify concerns, potential impacts, and relevant effects of past actions related to the changes being considered by the Council in this action, as well as a range of alternatives that should be considered in Amendment 21."*

4.0 ALTERNATIVES UNDER CONSIDERATION

Scallop AP and Committee: Please review the draft alternatives that have been developed in response to Committee tasking. The PDT will work to add/edit/remove items based on the direction that you provide at your upcoming meeting. The PDT will continue to add options to this document for the March meetings. We expect the Council to vote on a range of alternatives at its meeting in April.

4.1 ACTION 1 – NORTHERN GULF OF MAINE ALLOCATIONS AND CATCH LIMITS

AP and Committee: The Scallop PDT discussed combining several concepts and issues related to Northern Gulf of Maine management to streamline decision making.

A21 is considering whether or not to change how the Northern Gulf of Maine Management unit is accounted for in the ACL flowchart. This decision would have impacts on legal limits of the overall fishery, but is not directly linked to LAGC or LA allocations. The decision will ultimately be between:

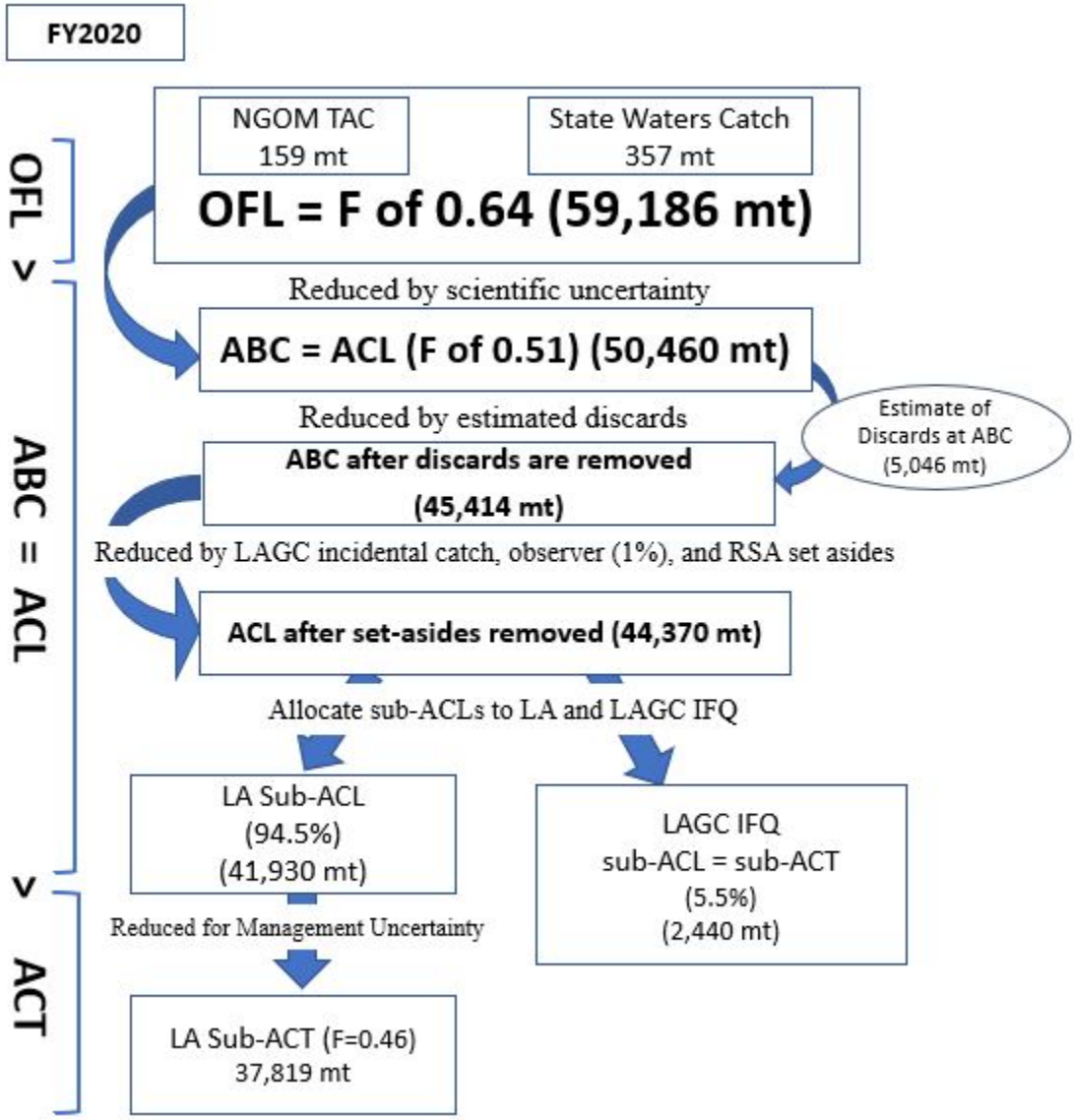
4.1.1 – Scenario 1 Status quo: Scallops in the Northern Gulf of Maine would not count as part of the ABC, ACL, or any other legal limits. They are counted as part of the OFL with an estimate of state waters landings (see Amendment 15).

4.1.2 - Including the NGOM in the ACL flowchart: Scallop biomass in the NGOM would count as part of the scallop OFL, ABC, sub-ACLs for the LA and LAGC IFQ, and the LA ACT. In practice, this would increase the legal catch limits for the overall fishery. The Council uses separate processes for developing allocations in the NGOM and for the LA and LAGC IFQ on Georges Bank and the Mid-Atlantic.

4.1.1 Scenario 1: Status quo - Do not add NGOM into the ACL Flowchart.

There would be not change to how the NGOM TAC is accounted for the in ACL flowchart. The recommended TAC would be added to the OFL, along with an estimate of state waters landings (Figure 1).

Figure 1 - Scallop ACL flowchart from FW32, with NGOM added to OFL (Scenario 1 - Status Quo)



4.1.1.1 Alternative 1 - No Action (Amendment 11 regulations)

Under Alternative 1, the Northern Gulf of Maine TAC would remain part of the OFL for the fishery, but outside of the ACL flowchart.

The Northern Gulf of Maine management unit would be managed as follows:

1. Possession limit of 200 lbs for all LAGC IFQ and NGOM boats
2. LAGC IFQ catch applied against NGOM TAC and individual IFQ
3. LAGC Incidental catch is not applied against TAC, 40 lb possession limit
4. Landings from NGOM vessels fishing exclusively in state waters are not deducted from TAC
5. LAGC IFQ and NGOM vessels' combined dredge width cannot exceed 10.5 ft
6. LA catch is not applied against the TAC, vessels under DAS management
7. Once TAC is reached, NGOM is shut down to all federally permitted vessels

8. NGOM landings not included in annual projected landings used to set overall allocations for LA and LAGC IFQ components

If estimates of exploitable biomass are available for parts of the Northern Gulf of Maine Management Unit, they would be used to develop a TAC for the area. If estimates are not available or suitable for setting catch limits, the Council may consider setting a TAC based on other available data, such as but not limited to historic catch.

4.1.1.2 Alternative 2 – Allocate the NGOM TAC between the LA and LAGC components with the first 70,000 lbs to LAGC, then 50/50 split between LA and LAGC. (Framework 29, 30, 32 temporary approach)

Alternative 2 would allocate the NGOM TAC between the LA and the LAGC Components. The LAGC share would be calculated by applying the first 70,000 lbs of the allocation to LAGC TAC, and then splitting the remaining pounds 50/50 between the LAGC and LA component.

The LAGC and LA would operate under separate TACs. The NGOM management area would remain open for each component until their TAC is projected to be harvested, even if the other component has reached its TAC.

Rationale: The rationale for this approach is that the NGOM TAC for the LAGC component was set at 70,000 pounds from FY 2008 – FY 2016.

4.1.2 Scenario 2 – Incorporate the NGOM into the ACL Flowchart

Scenario 2 would add the Northern Gulf of Maine into the ACL Flowchart (Figure 2). Scallop biomass in the NGOM would count as part of the scallop OFL, ABC, sub-ACLs for the LA and LAGC IFQ, and the LA ACT. In practice, this would increase the legal catch limits for the overall fishery.

This approach would entail including survey data from the NGOM in the forward projection model that is currently used to develop allocations for Georges Bank and the Mid-Atlantic (SAMS model).

The Council uses a separate process for developing the annual fishery allocations (annual projected landings). Incorporating the NGOM into the ACL flowchart would have no impact on LA DAS, or any other fishery allocation that is part of the APL.

Incorporating the NGOM into the ACL flowchart would increase the number of pounds that are available for the fishery's observer set-aside program.

Figure 2 - NGOM incorporated into scallop ACL flowchart (Scenario 2), with FW30 data.

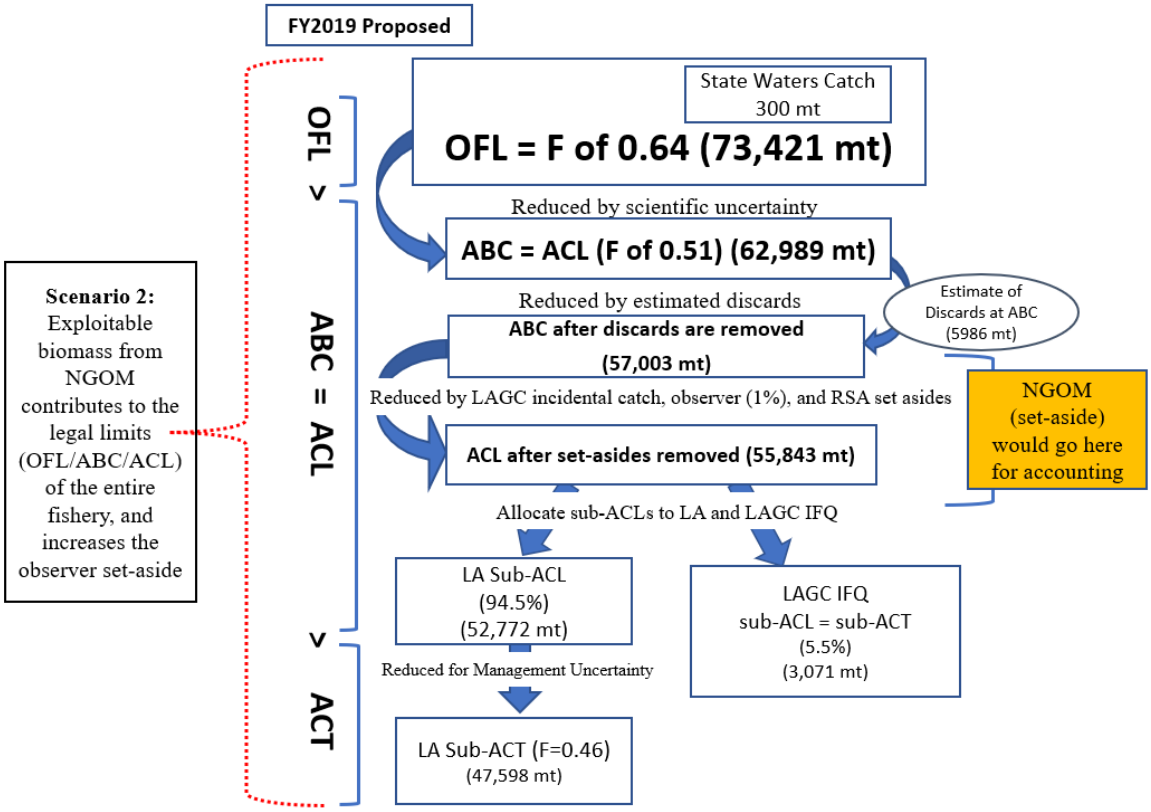


Table 1 - Description of how scallops in the NGOM would be accounted for in the ACL flowchart under Scenario 2. Note that there are not adjustments to fishery allocations – that is a separate process.

	ACL Flowchart	
ACL Flowchart	OFL	Contribute F=0.64 of TOTAL NGOM exploitable biomass to OFL
	ABC/ACL (discards removed)	Contribute F=0.51 of TOTAL NGOM exploitable biomass to ABC
	NGOM Set-Aside	Calculated at F=0.3 of open areas of the NGOM
	Incidental Catch	Not applicable - Set by the Council, separate issue.
	RSA	1.25 million lbs, plus X% of the NGOM set-aside (1.25 mil + X% NGOM RSA)
	Observer set-aside	1% of F=0.51 of TOTAL NGOM exploitable biomass (not taken from NGOM set-aside)
	ACL for fishery	ABC (exploitable biomass from ALL areas, fished at F=0.51) minus: NGOM set-aside, observer set-aside, RSA, incidental catch limits.
	Limited Access ACL	94.5% of the ACL
	Limited Access ACT	LA ACL fished at F=0.46
	LAGC Total ACL	5.5% of ACL

4.1.2.1 Alternative 1: Create a Northern Gulf of Maine set-aside, with additional TAC added to Annual Projected Landings (APL) for LAGC IFQ and LA.

Scenario 2, Alternative 1 would create a permanent set-aside to support research and a directed LAGC fishery in the Northern Gulf of Maine management area. This approach mirrors how the NGOM is currently being managed through FW actions (FW29, FW30, FW32).

Any allocation above the NGOM set-aside value would be split between the LA and LAGC IFQ components using the allocation sharing formula developed through Amendment 11 (94.5% to LA; 5.5% to LAGC IFQ).

While the NGOM set-aside would not increase as exploitable biomass increases in the management unit, the TAC available for LAGC harvest in the NGOM would increase as the LAGC IFQ share of exploitable biomass over the set-aside maximum (5.5%) increases.

A monitoring program for vessels operating in the NGOM would be either fully or partially funded using pounds from the observer set-aside that is calculated at 1% of the overall ABC.

If the AP and Committee wish to further develop alternatives using this approach, several decisions need to be made:

1. Decision 1: Determine the default F rate(s) for evaluating the target TAC in the NGOM, which would be based on exploitable biomass of open areas.
2. Decision 2: Determine the "maximum" amount for the NGOM set-aside that would be available for RSA and LAGC harvest.
    a. At or below this value, the set-aside is shared between LAGC harvest and research.
    b. Over this value, the TAC is split using a tiered approach.
3. Decision point 3: How much of NGOM set-aside should contribute to the RSA? (%)
4. Decision point 4: Determine how the LA and LAGC IFQ groups would access the NGOM. This would cover issues like trip limits for the LAGC IFQ (area trip limit for GC is 200 lbs), allowing LA to fish the area with trip limits (like access area), and the ability of LAGC IFQ and LA vessels to opt to fish their NGOM allocations in other parts of the resource.
    a. This could be done each time the TAC is set for the area during the FW process.
    b. The Council could specify LA and LAGC IFQ could fish in the area in this Amendment.
    c. PDT has noted that options for harvest are likely to vary depending on the amount of exploitable biomass in the area. For example, options for LA harvest might vary depending on whether the TAC is 500,000 pounds or 6 million pounds.
5. Decision point 5: Should the LAGC allocation in the NGOM be capped at a percentage of the APL?

Rationale: This option would preserve and support a directed fishery in federal waters in the NGOM for LAGC permit holders by setting aside a portion of the scallop resource for research, monitoring, and a directed fishery, while allowing for orderly access to the scallop resource in this area by the LA component if exploitable biomass is above a threshold. The Council has not established an allocation share for the NGOM or incidental portions of the LAGC component but did so for the LAGC IFQ and LA components in Amendment 11 when the NGOM and incidental permit categories were created. This option maintains the current allocation split between the LA and LAGC IFQ, while setting-aside part of the APL to support research, monitoring, and the NGOM fishery that the Council envisioned in Amendment 11.

This option is a relatively simple way to incorporate additional RSA, observer set-aside, and the directed scallop fishery in the NGOM management area into the ACL flowchart. Observer set-aside and RSA contributions from the NGOM TAC would be folded into existing programs.

At higher levels of exploitable biomass, this option also contributes to the LAGC IFQ and LA allocation shares.

This option would likely reduce the annual administrative burden associated with the current approach to setting NGOM TAC (e.g. FW29 and FW30).

Table 2 - Description of how scallops in the Northern Gulf of Maine would be factored into the APL under Scenario 2, Alternative 1.

		Below Maximum Set-Aside Value	Above Maximum Set-Aside Value
Annual Projected Landings	**Annual Projected Landings (APL)**	Projected exploitable biomass from open areas of fishery when applying rotational management, assigning area specific F rates	
	NGOM Set-Aside	"Off the top" - Reduce APL by Total NGOM set-aside value	
	Incidental Catch	"Off the top" - Reduce APL by NGOM set-aside value	
	RSA	"Off the top" - Reduce APL by 1.25 million lbs (NGOM RSA accounted for above)	
	Observer Set-Aside	"Off the top" - Reduce APL by 1% of ABC (observer set-aside)	
	APL (after set-asides are removed)	Allocation that is divided between the LA ad LAGC IFQ components (94.5/5.5)	
	Limited Access Projected Landings (94.5% of APL)	**No** LA fishing in the NGOM, exploitable biomass below set-aside	LA allocation to the NGOM (94.5% of the excess allocation over the set-aside), Council determines appropriate access (trips, limits)
	Total IFQ Annual Allocation (5.5% of APL)	LAGC IFQ vessels can fish in the NGOM at 200 lbs per day, using IFQ, until the TAC is reached and the area closes.	LAGC IFQ allocation is increased (5.5% of the excess allocation, over the set-aside). Vessels can fish IFQ in the NGOM, or elsewhere.

4.1.2.1.1 Example of Scenario 2, Alternative 1 approach

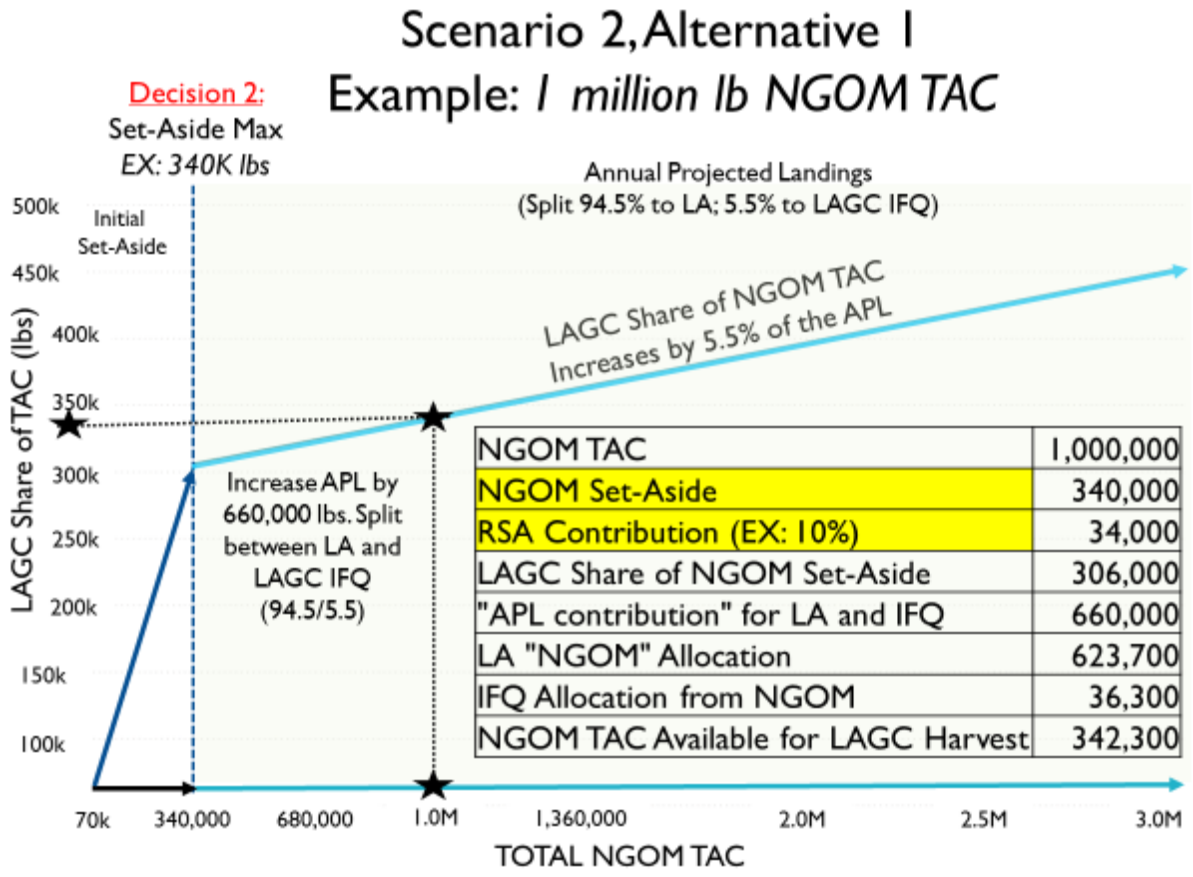
Figure 1 and example decisions are intended to show how this approach might work. The assumptions for this example are:

1. Decision 1: For discussion purposes, set the TAC using F=0.2, and assume the NGOM TAC is 1 million pounds. (F=0.2 is consistent with the F rate used to set the NGOM TAC in FW32)
2. Decision 2: Set the "maximum" NGOM set-aside at 340,000 pounds, which is the LAGC IFQ share of a 6 million pound access area trip.
3. Decision 3: Allocate 10% of the NGOM set-aside to the RSA. (Maximum 34,000 lbs to RSA)
4. Decision 4: Determine access for LAGC IFQ and LA during Framework action.
5. Decision 5: Cap the LAGC allocation in the NGOM at 3% of the APL. (This was the percentage of landings that came from the NGOM in 2017, both LA and LAGC)

In this scenario, the NGOM TAC is greater than the maximum NGOM set-aside amount (Decision 2). The first 340,000 pounds of the TAC are available for LAGC harvest and RSA, with 10% of the set-aside going to RSA (Decision 3). The remaining TAC (overall TAC – NGOM set-aside) would be 660,000 pounds. This would be split between the LA (94.5% - 623,700 lbs) and the LAGC IFQ (5.5% - 36,300

lbs). The pounds available for the LAGC harvest in the NGOM area would be the LAGC share of the NGOM set-aside plus the IFQ share of the APL (306,000 lbs + 36,300 lbs).

Figure 3 - Example of allocations using Scenario 2, Alternative 1 with 1 million pound NGOM TAC.



4.1.2.2 Alternative 2 – Create a Northern Gulf of Maine set-aside, use a tiered approach to share additional TAC between NGOM set-aside, LAGC IFQ, and LA.

Scenario 2, Alternative 2 would create a permanent set-aside to support research and a directed LAGC fishery in the Northern Gulf of Maine management area. This approach mirrors how the NGOM is currently being managed through FW actions (FW29, FW30, FW32).

This alternative would allow the size of the Northern Gulf of Maine set-aside to increase if the NGOM TAC is larger than the maximum NGOM set-aside as it relates to exploitable biomass in the management unit.

Monitoring would be either fully or partially funded using pounds from the observer set-aside that is calculated at 1% of the overall ABC.

If the AP and Committee wish to further develop alternatives using this approach, several decisions need to be made. Note that decisions 1-3 are the same as the Alternative 1 (above):

1. Decision 1: Determine the default F rate(s) for evaluating the target TAC in the NGOM, which would be based on exploitable biomass of open areas.

2. Decision 2: Determine the "maximum" amount for the NGOM set-aside that would be for RSA and LAGC harvest.
    a. At or below this value, the set-aside is shared between LAGC harvest and research.
    b. Over this value, the TAC is split using a tiered approach.
3. Decision point 3: How much of NGOM set-aside should contribute to the RSA
    a. Decision 3a: Should there be a cap on how many pounds can be allocated to the RSA from this area?
        i. Council Staff suggest capping the RSA that comes specifically from the NGOM.

Determine how much the NGOM set-aside should increase as exploitable biomass in the management unit increases. (using different percentages for different levels of biomass)

4. Decision Point 4: How many tiers?
5. Decision Point 5: Poundage range to bound each tier.
6. Decision Point 6: Determine what percent the NGOM set-aside increases in each tier.
7. Decision point 7: Should the LAGC allocation in the NGOM be capped at a percentage of the APL.
8. Decision point 8: Determine how the LA and LAGC IFQ groups would access the NGOM. This would cover issues like trip limits for the LAGC IFQ (area trip limit for GC is 200 lbs), allowing LA to fish the area with trip limits (like access area), and the ability of LAGC IFQ and LA vessels to opt to fish their NGOM allocations in other parts of the resource.
    a. This could be done each time the TAC is set for the area during the FW process.
    b. The Council could specify LA and LAGC IFQ could fish in the area in this Amendment.
    c. PDT has noted that options for harvest are likely to vary depending on the amount of exploitable biomass in the area. For example, options for LA harvest might vary depending on whether the TAC is 500,000 pounds or 6 million pounds.

4.1.2.2.1 Example of Scenario 2, Alternative 2

Figure 2 and example decisions are intended to show how this approach might work. The assumptions for this example are:

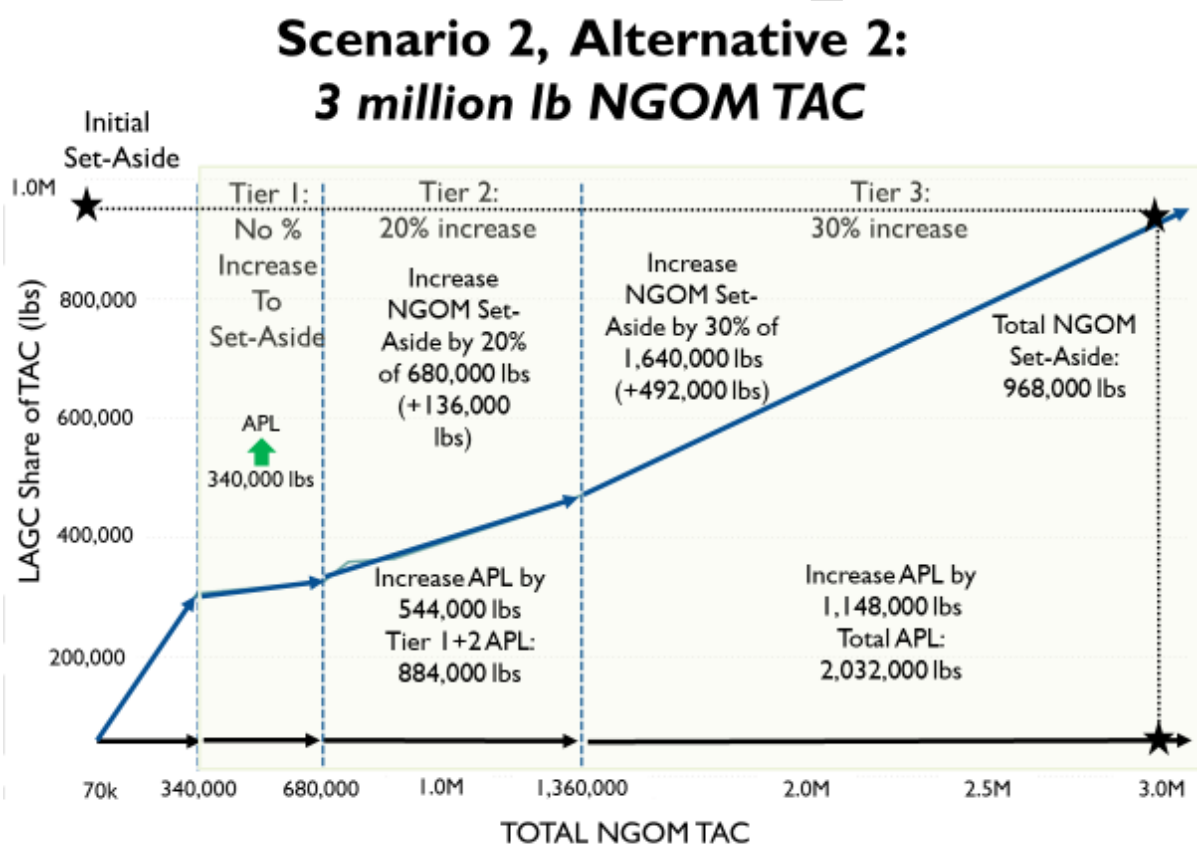
1. Decision 1: For discussion purposes, set the TAC using F=0.2, and assume the NGOM TAC is 1 million pounds. (F=0.2 is consistent with the F rate used to set the NGOM TAC in FW32)
2. Decision 2: Set the "maximum" NGOM set-aside at 340,000 pounds, which is the LAGC IFQ share of a 6 million pound access area trip.
3. Decision 3: Allocate 10% of the NGOM set-aside to the RSA. (Maximum 34,000 lbs to RSA)
    a. Decision 3a: Cap the contribute to the RSA at 10% of the initial set-aside (34,000 lbs)
4. Decision 4: Use three tiers above the initial set-aside.
5. Decision 5: See Table 1.
6. Decision 5: See Table 1.
7. Decision 7: Cap the LAGC allocation in the NGOM at 3% of the APL. (This was the percentage of landings that came from the NGOM in 2017, both LA and LAGC)

Table 3 - Example of Tiered approach that could be used through Scenario 2, Alternative 2

	Poundage Range	***% increase***
Tier 1	340k – 680k lbs	0%, no scaling
Tier 2	680k – 1.36 mil lbs	20% scaling
Tier 3	Greater than 1.36 mil.	30% scaling

- *Rationale* for increasing the LAGC share/NGOM set-aside as the biomass increases is that it:
    - Allows a directed fishery for LAGC at low levels of biomass.
    - Allows access to all fishery components when biomass begins to increase above the set-aside. (Tier 1 % < Tier 2 & Tier 3%)
    - Increases the percentage to the NGOM set-aside when biomass in the management unit increases.
        - Create additional opportunity when area can support directed effort by all permit categories.

Figure 4 – Example of Allocations using a three tiered approach in Scenario 2, Alternative 2.



4.1.2.3 Alternative 3 – Use a tiered approach to distribute the NGOM TAC between the LAGC and LA components

Scenario 2, Alternative 3 would create access for all limited access scallop permits in the NGOM management area when a TAC is established. This approach would use elements of Alternative 2, but instead of using a set-aside to support research and a directed LAGC fishery in the Northern Gulf of Maine management area, Council would establish access programs for the LA, LAGC NGOM, and LAGC IFQ in each tier.

Monitoring would be either fully or partially funded using pounds from the observer set-aside that is calculated at 1% of the overall ABC.

If the AP and Committee wish to further develop alternatives using this approach, several decisions need to be made.

1. Decision 1: Determine the default F rate(s) for evaluating the target TAC in the NGOM, which would be based on exploitable biomass of open areas.
2. Decision point 2: How much of NGOM should contribute to the RSA, if any?
    a. Decision 3a: Should there be a cap on how many pounds can be allocated to the RSA from this area?
        i. Council Staff suggest capping the RSA that comes specifically from the NGOM.
3. Decision Point 3: How many tiers?
4. Decision Point 4: Poundage range to bound each tier.
5. Decision Point 5: Determine what percent the NGOM set-aside increases in each tier.
6. Decision point 6: Should the LAGC allocation in the NGOM be capped at a percentage of the APL?
7. Decision point 7: Determine how the LA and LAGC IFQ groups would access the NGOM. This would cover issues like trip limits for the LAGC IFQ (area trip limit for GC is 200 lbs), allowing LA to fish the area with trip limits (like access area), and the ability of LAGC IFQ and LA vessels to opt to fish their NGOM allocations in other parts of the resource.
    a. This could be done each time the TAC is set for the area during the FW process.
    b. The Council could specify LA and LAGC IFQ could fish in the area in this Amendment.
    c. PDT has noted that options for harvest are likely to vary depending on the amount of exploitable biomass in the area. For example, options for LA harvest might vary depending on whether the TAC is 500,000 pounds or 6 million pounds.

4.2 ACTION 2 – NGOM FISHING SEASON

The PDT is looking for feedback on the alternatives that have been proposed in response to Committee tasking. The AP and Committee should be ready to weigh in if they agree/disagree with the measures that have been developed. The Committee may wish to include several of the following alternatives in the Amendment and could select multiple items as preferred.

Tasking	**"Task PDT to develop alternatives that will minimize the current derby style fishery, including but not limited to one sailing per calendar day."**
Committee Rationale	"Current derby scenario creates opportunities for some, but not others. Looking to expand opportunities across the fishing year, particularly if the biomass is dispersed across the NGOM area."
Questions from the PDT	The PDT seeks clarification about the range of alternatives that should be developed in response to this tasking. For example, the ideas identified in the motion and rationale may be address different objectives or problems. For example: • Motion speaks to minimizing the current derby style fishery. o PDT Option: Limit one sailing per calendar day • In the rationale, the Committee suggests expanding opportunities across the fishing year, particularly when biomass is dispersed in several areas.
A21 NGOM Objectives Addressed	1. Support a growing directed scallop fishery in federal waters in the NGOM. 2. Allow for orderly access to the scallop resource in this area by the LAGC and LA components.

Problem, Purpose, Need	• (Potential) Problem: One area (Stellwagen) holds large animals in relatively high densities. The entire GC TAC is fished in this area within a few weeks, and the entire NGOM area closes for the remainder of the FY.
	  o There are other parts of the NGOM that hold commercial densities of exploitable scallops that could be fished, but are not.
	  o Limited window to participate in the fishery. Over the past 10 years, at lower levels of landings and biomass, vessels were active throughout the fishing year, with the majority of effort ramping up in the winter and continuing into the early summer.

Data	• Number of permits and active participants. • Number of vessels that sail multiple times in a day. • Fishery participation by month.

Alternative Ideas	• Limit number of sailings per day or per week
	  o Ex: Allow 4 or 5 sailings per week, but allow multiple sailings per day to maintain some flexibility.
	  o Cap number of LANDINGS – "days out" – stay away from Days.
	• Spatial management?
	  ~~o~~ Fishery is conducted on a finer spatial scale. Ipswich Bay, Southern Jeffreys, and Stellwagen Bank are all in SRA 514.
	  o Identify individual fishing grounds (area management)
	• Partition TAC over the year
	  o EX: 2 seasons → April 1 – November 30; December 1 → March 31

4.2.1 Alternative 1 – No Action

Place holder, dependent upon subsequent alternatives to address tasking.

4.2.2 Alternative 2 - Limit the number of landings per LAGC vessel per week in the Northern Gulf of Maine Management Area

Under Alternative 2, LAGC vessels would be prohibited from landing scallops more than five (5) times per calendar week (Monday – Sunday) from declared scallop trips in the Northern Gulf of Maine Management area.

Rationale: Capping the total number of landings per week could slow the utilization of the General Category TAC and extend the fishing season.

4.2.3 Alternative 3 – Limit vessels to one sailing per day

Vessels would be prohibited from sailing multiple times on one calendar day.

Rationale: Data from recent FY shows that some vessels have sailed multiple times in a 24 hour window. Allowing vessels to only sail once per day may slow down the utilization of the NGOM TAC, and create fishing opportunities later on in the year.

4.2.4 Alternative 4 – Partition the NGOM into multiple areas, with separate TACs

Decision: Specify this areas in the Amendment, or modify the FMP to allow for this approach in the future?

Alternative 4 would add to the list of measures that can be developed through a framework, creation of finer scale spatial units within the NGOM management unit. Options that could be available are:

- Closures to protect small scallops.
- TACs for specific areas with the management unit.

Rationale: Beginning with Framework 29, when scallop surveys are conducted in the NGOM management unit, the Council has evaluated TAC options based on projections for individual areas. For example, separate projections of exploitable biomass are done for Stellwagen Bank, Jeffrey's Ledge, and Ipswich Bay. Scallop distribution in the Gulf of Maine is patchy, and dispersed from the Canadian border (Machias Seal Island) to the northern portion of Stellwagen Bank at the southern boundary of the management unit at 42°20'.

4.2.5 Alternative 5 – Partition the NGOM TAC into multiple seasons

Decision: Specify this areas in the Amendment, or modify the FMP to allow for this approach in the future?

Alternative 5 would add to the list of measures that can be developed through a framework, creation of multiple seasons in the NGOM management unit.

Seasons could be used to distribute fishing opportunities across the fishing year.

Decisions:

1. Who would this apply to? All scallop vessels? Just LAGC?
2. How many seasons? Define the dates.
3. How much of the TAC would be allocated to each season?

Rationale: Distributing the NGOM TAC into different seasons may expand fishing opportunities across the fishing year (CTE rationale).

4.3 Action 3 - Northern Gulf of Maine Gear Restricted Area

Tasking	**"Task PDT to develop alternatives that will consider a fishery wide GRA in the NGOM and GOM dredge exemption area.**
Committee Rationale	"Explore a GRA in these areas based on scoping comments the Council received."
A21 NGOM Objectives Addressed	Need Committee input
Problem, Purpose, Need	TBD
Questions from PDT	• Is there a particular problem with fishing larger dredges? o This would be the only area in the fishery where LA dredge width is restricted below 31' for full time limited access permit holders.

4.3.1.1 Alternative 1 – No Action

There would be no change to the Gulf of Maine dredge exemption program. Any FT LA vessel fishing in the NGOM would be able to fish two dredges up to 31'.

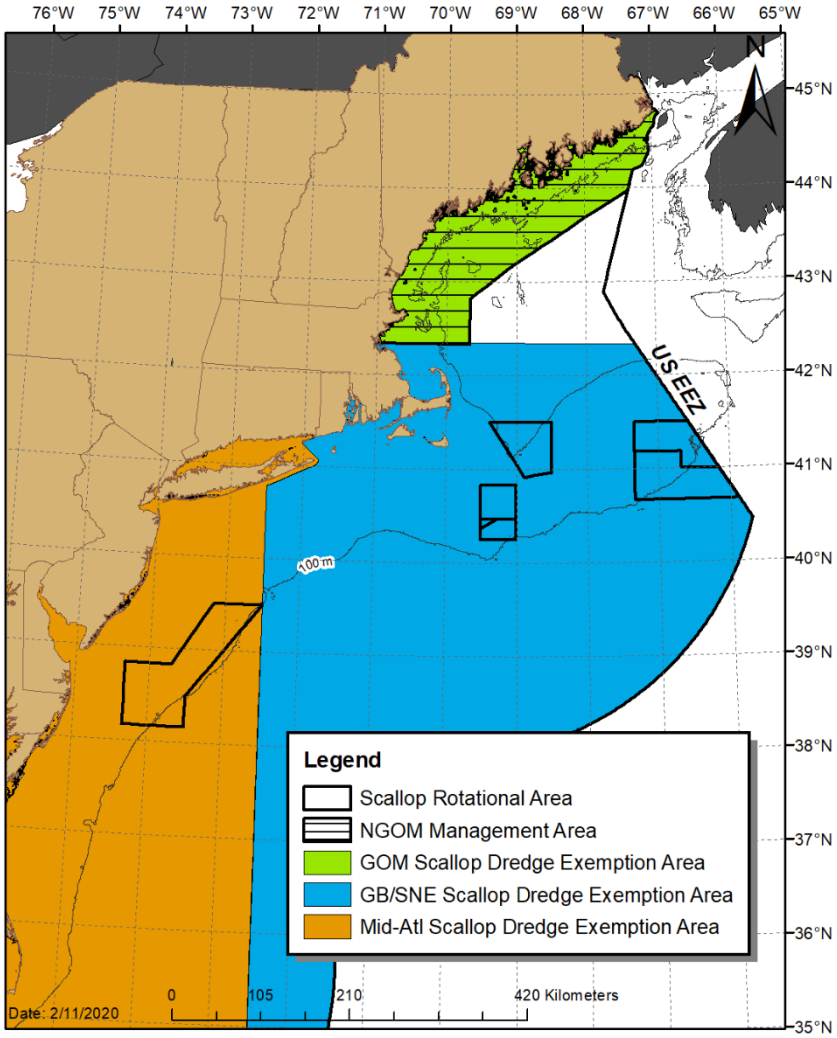
4.3.1.2 Alternative 2 - Implement a fishery wide 10.5' GRA for all scallop vessels in the Northern Gulf of Maine management area

For all FT LA scallop vessels operating in the Northern Gulf of Maine management area, the combined maximum dredge width could not exceed 10.5 ft (3.2 m), measured at the widest point in the bail of the dredges.

4.3.1.3 Alternative 3 - Implement a fishery wide 15.5' GRA for all scallop vessels in the Northern Gulf of Maine management area

For all FT LA scallop vessels operating in the Northern Gulf of Maine management area, the combined maximum dredge width could not exceed 15.5 ft, measured at the widest point in the bail of the dredges.

Figure 5 - - Scallop Dredge Exemption Areas as of February 14, 2020. Gear restricted area Options 2 and 3 would cover the entire green area, which is the GOM Scallop Dredge Exemption Area.



4.4 ACTION 4 - LAGC IFQ POSSESSION LIMITS

Tasking	**"The Committee tasks the PDT to develop a range of alternatives for LAGC IFQ possession limit up to 1,200 lbs per trip in Amendment 21."**
Committee Rationale	"The Committee tasks the PDT to look at trip limits at 600 lbs, 800 lbs, 1000 lbs, and 1200 lbs. A trip limit increase would give a portion of the fleet more opportunity to manage their business more efficiently and safely. If you can harvest 1,200 lbs a day, you reduce the number of trips (times in/out of inlet) and fuel consumption. Longer steam times are currently required to catch trip limit. A 600 lb trip limit is OK if there was an inshore fishery. This would give small boats more flexibility, and vessels don't have to catch 1,200 a day (they could catch less). The LAGC IFQ performance review showed an increase in the number of smaller vessels following a 200 lb increase (400 lbs to 600 lbs), and stability in the number of active vessels within vessel size classes."
A21 Objectives Addressed	• Improve overall economic performance of the LAGC IFQ component. • The Council is taking action to ensure that the LAGC IFQ component remains profitable, and that there is continued participation in the General Category fishery at varying levels. • Approaches that aim to reduce the impacts of decreases in ex-vessel price and increases to fixed costs (e.g. maintenance and repairs) and variable costs (e.g. trip expenses including fuel, food, oil, ice, and water), on vessels and crews.
A11 Vision Statement	The Council's vision statement for the LAGC component established through Amendment 11 (2008) is "a fleet made up of relatively small vessels, with possession limits to maintain the historical character of this fleet and provide opportunities to various participants including vessels from smaller coastal communities." The Council reaffirmed the Amendment 11 vision statement during the development of this action (Amendment 21), and it is included here for reference when considering the LAGC IFQ possession limit alternatives in the following sub-sections.
Problem, Objective Purpose, Need	•

Alternatives 2-4 in this section would not change other aspects of LAGC IFQ component management (i.e., no changes to allocation structure, rotational management, capacity restrictions, observer compensation rate, etc.).

4.4.1 Alternative 1 – No Action

This alternative would maintain the current LAGC IFQ possession limit of 600 pounds for open and access area trips.

Rationale: The original 400-pound possession limit was increased to 600 pounds in 2011 (Amendment 15) to account for increased operating costs while maintaining the small, dayboat nature of the LAGC IFQ component.

4.4.2 Alternative 2 – Increase the LAGC IFQ possession limit to 800 pounds

Alternative 2 would increase the LAGC IFQ possession limit to 800 pounds at the level specified for Sub-Option 1 and Sub-Option 2.

4.4.2.1 Sub-Option 1—Increase the LAGC IFQ possession limit to 800 pounds per trip for open and access area trips

This alternative would increase the LAGC IFQ possession limit to 800 pounds for both open and access area trips. This alternative only considers the possession limit and does not propose any changes to how the LAGC IFQ component is administered or managed (i.e. no changes to allocation, rotational management, capacity restrictions, observer compensation rate, etc.).

Rationale: The LAGC IFQ component has been subject to a consistent possession limit for open and access area trips since the program's inception through Amendment 11 (2008). The original 400-pound possession limit was increased in 2011 (Amendment 15) to 600 pounds as a response to industry concerns that the 400-pound limit was not economically feasible due to increased operating costs. The Council is considering increasing the LAGC IFQ possession limit through this action following a request from industry members that are concerned with the economic viability of the current 600-pound limit.

Fishing in areas with higher catch rates and larger scallops is desirable because less tow time is needed harvest a trip limit. For LAGC IFQ vessels that elect to do so, this means transiting farther offshore to fish in open area or access areas with higher landings per unit of effort and improved meat yield. Targeting parts of the scallop resource father offshore leads to increased trip costs due to higher fuel expenses associated with longer steam times. Increasing the possession limit would reduce the overall number of trips and combined steam time needed to harvest quota, thereby reducing trip costs (i.e. fuel) and operating expenses (i.e. vessel maintenance) relative to the current 600-pound limit. Increasing the possession limit would offer LAGC IFQ vessels more flexibility in deciding where and when to fish, which could potentially improve safety in this component of the fishery.

4.4.2.2 Sub-Option 2—Increase the LAGC IFQ possession limit to 800 pounds per trip for only access area trips

This alternative would increase the LAGC IFQ possession limit to 800 pounds for access area trips and maintain the 600-pound possession limit for open trips. This alternative only considers the access area possession limit and does not propose any changes to how the LAGC IFQ component is administered or managed (i.e. no changes to allocation, rotational management, capacity restrictions, observer compensation rate, etc.).

Rationale: The LAGC IFQ component has been subject to a possession limit since the program's inception through Amendment 11 (2008). The original 400-pound possession limit was increased in 2011 (Amendment 15) to 600 pounds as a response to industry concerns that the 400-pound limit was not economically feasible due to increased costs. Interest in increasing the 600-pound trip limit through this action is based on the continued increase of operating expenses, which are principally driven by fuel costs associated with longer steam times. For LAGC IFQ vessels that elect to do so, transiting farther offshore to fish access areas with higher landings per unit of effort and improved meat yield leads to increased trip costs due to higher fuel expenses associated with longer steam times. Increasing the access area possession limit would reduce the overall number of trips and combined steam time needed to harvest quota from offshore access areas, thereby reducing overall trip costs (i.e. fuel) and operating expenses

(i.e. vessel maintenance) relative to the current 600-pound limit. Increasing the access area possession limit could offer LAGC IFQ vessels more flexibility with regard to timing access area trips around weather conditions, which could potentially improve safety in this component of the fishery.

4.4.3 Alternative 3—Increase the LAGC IFQ possession limit to 1,000 pounds per trip

This alternative would increase the LAGC IFQ possession limit to 1,000 pounds for both open and access area trips (Sub-Option 1) or for access area trips only (Sub-Option 2).

4.4.3.1 Sub-Option 1—Increase the LAGC IFQ possession limit to 1,000 pounds per trip for open and access area trips

This alternative would increase the LAGC IFQ possession limit to 1,000 pounds for both open and access area trips. This Alternative only considers the possession limit and does not propose any changes to how the LAGC IFQ component is administered or managed (i.e. no changes to allocation, rotational management, capacity restrictions, observer compensation rate, etc.).

Rationale: The LAGC IFQ component has been subject to a consistent possession limit for open and access area trips since the program's inception through Amendment 11 (2008). The original 400-pound possession limit was increased in 2011 (Amendment 15) to 600 pounds as a response to industry concerns that the 400-pound limit was not economically feasible due to increased operating costs. The Council is considering increasing the LAGC IFQ possession limit through this action following a request from industry members that are concerned with the economic viability of the current 600-pound limit.

Fishing in areas with higher catch rates and larger scallops is desirable because less tow time is needed harvest a trip limit. For LAGC IFQ vessels that elect to do so, this means transiting farther offshore to fish in open area or access areas with higher landings per unit of effort and improved meat yield. Targeting parts of the scallop resource father offshore leads to increased trip costs due to higher fuel expenses associated with longer steam times. Increasing the possession limit would reduce the overall number of trips and combined steam time needed to harvest quota, thereby reducing trip costs (i.e. fuel) and operating expenses (i.e. vessel maintenance) relative to the current 600-pound limit. Increasing the possession limit would offer LAGC IFQ vessels more flexibility in deciding where and when to fish, which could potentially improve safety in this component of the fishery.

4.4.3.2 Sub-Option 2—Increase the LAGC IFQ possession limit to 1,000 pounds per trip for only access area trips

This alternative would increase the LAGC IFQ possession limit to 1,000 pounds for access area trips and maintain the 600-pound possession limit for open trips. This alternative only considers the access area possession limit and does not propose any changes to how the LAGC IFQ component is administered or managed (i.e. no changes to allocation, rotational management, capacity restrictions, observer compensation rate, etc.).

Rationale: The LAGC IFQ component has been subject to a possession limit since the program's inception through Amendment 11 (2008). The original 400-pound possession limit was increased in 2011 (Amendment 15) to 600 pounds as a response to industry concerns that the 400-pound limit was not economically feasible due to increased costs. Interest in increasing the 600-pound trip limit through this action is based on the continued increase of operating expenses, which are principally driven by fuel costs associated with longer steam times. For LAGC IFQ vessels that elect to do so, transiting farther offshore to fish access areas with higher landings per unit of effort and improved meat yield leads to increased trip costs due to higher fuel expenses associated with longer steam times. Increasing the access area

possession limit would reduce the overall number of trips and combined steam time needed to harvest quota from offshore access areas, thereby reducing overall trip costs (i.e. fuel) and operating expenses (i.e. vessel maintenance) relative to the current 600-pound limit. Increasing the access area possession limit could offer LAGC IFQ vessels more flexibility with regard to timing access area trips around weather conditions, which could potentially improve safety in this component of the fishery.

4.4.4 Alternative 4—Increase the LAGC IFQ possession limit to 1,200 pounds per trip

This alternative would increase the LAGC IFQ possession limit to 1,200 pounds for both open and access area trips (Sub-Option 1) or for access area trips only (Sub-Option 2).

4.4.4.1 Sub-Option 1—Increase the LAGC IFQ possession limit to 1,200 pounds per trip for open and access area trips

This alternative would increase the LAGC IFQ possession limit to 1,200 pounds for both open and access area trips. This Alternative only considers the possession limit and does not propose any changes to how the LAGC IFQ component is administered or managed (i.e. no changes to allocation, rotational management, capacity restrictions, observer compensation rate, etc.).

Rationale: The LAGC IFQ component has been subject to a consistent possession limit for open and access area trips since the program's inception through Amendment 11 (2008). The original 400-pound possession limit was increased in 2011 (Amendment 15) to 600 pounds as a response to industry concerns that the 400-pound limit was not economically feasible due to increased operating costs. The Council is considering increasing the LAGC IFQ possession limit through this action following a request from industry members that are concerned with the economic viability of the current 600-pound limit.

Fishing in areas with higher catch rates and larger scallops is desirable because less tow time is needed harvest a trip limit. For LAGC IFQ vessels that elect to do so, this means transiting farther offshore to fish in open area or access areas with higher landings per unit of effort and improved meat yield. Targeting parts of the scallop resource father offshore leads to increased trip costs due to higher fuel expenses associated with longer steam times. Increasing the possession limit would reduce the overall number of trips and combined steam time needed to harvest quota, thereby reducing trip costs (i.e. fuel) and operating expenses (i.e. vessel maintenance) relative to the current 600-pound limit. Increasing the possession limit would offer LAGC IFQ vessels more flexibility in deciding where and when to fish, which could potentially improve safety in this component of the fishery.

4.4.4.2 Sub-Option 2—Increase the LAGC IFQ possession limit to 1,200 pounds per trip for only access area trips

This alternative would increase the LAGC IFQ possession limit to 1,200 pounds for access area trips and maintain the 600-pound possession limit for open trips. This alternative only considers the access area possession limit and does not propose any changes to how the LAGC IFQ component is administered or managed (i.e. no changes to allocation, rotational management, capacity restrictions, observer compensation rate, etc.).

Rationale: The LAGC IFQ component has been subject to a possession limit since the program's inception through Amendment 11 (2008). The original 400-pound possession limit was increased in 2011 (Amendment 15) to 600 pounds as a response to industry concerns that the 400-pound limit was not economically feasible due to increased costs. Interest in increasing the 600-pound trip limit through this action is based on the continued increase of operating expenses, which are principally driven by fuel costs associated with longer steam times. For LAGC IFQ vessels that elect to do so, transiting farther offshore

to fish access areas with higher landings per unit of effort and improved meat yield leads to increased trip costs due to higher fuel expenses associated with longer steam times. Increasing the access area possession limit would reduce the overall number of trips and combined steam time needed to harvest quota from offshore access areas, thereby reducing overall trip costs (i.e. fuel) and operating expenses (i.e. vessel maintenance) relative to the current 600-pound limit. Increasing the access area possession limit could offer LAGC IFQ vessels more flexibility with regard to timing access area trips around weather conditions, which could potentially improve safety in this component of the fishery

4.5 ACTION 5- ONE-WAY TRANSFER OF QUOTA FROM LA WITH IFQ TO LAGC IFQ-ONLY

Tasking	**"The Committee tasks the PDT to develop a range of alternatives for the temporary and permanent one-way transfer of IFQ from LA with IFQ to LAGC IFQ only to be developed in Amendment 21."**
Committee Rationale	"The Committee would like to see both permanent and temporary analyzed as part of A21. The alternatives would look at annual leasing and permanent transfers."
A21 Objectives Addressed	• Improve overall economic performance of the LAGC IFQ component. • The LAGC IFQ component remains profitable, and that there is continued participation in the General Category fishery at varying levels. • Approaches that aim to reduce the impacts of decreases in ex-vessel price and increases to fixed costs (e.g. maintenance and repairs) and variable costs (e.g. trip expenses including fuel, food, oil, ice, and water), on vessels and crews.
Purpose, Need	• TBD 1.

Amendment 11 allocated IFQ to Limited Access vessels that held a general category permit and met the same qualification criteria selected for the LAGC program. The LAGC IFQ share available to the Limited Access qualifiers was up to a total of 0.5% of the annual projected landings for the fishery and each qualifying vessel received an individual share based on their historical contribution to general category landings. These vessels with both LA and LAGC IFQ permits were allowed participate in the general category fishery (i.e. outside of a scallop DAS/access area trip), under the same management measures that apply to the LAGC IFQ fishery (i.e. trip limits, gear restrictions). A key difference between LA/LAGC IFQ vessels and the LAGC IFQ-only fleet is that LA/LAGC IFQ vessels were prohibited from transferring quota in or out. The Council's rationale for this approach was that limited access vessels that had enough general category landings to qualify for quota should be permitted to fish under general category rules because these limited access vessels depended on revenue generated though general category fishing. The Council identified 0.5% as the allocation for the LA component with LAGC IFQ history because that value was close to what historical landings had been by LA vessels in years preceding Amendment 11 and did not represent a large amount of the total catch. Furthermore, the Council felt that an allocation of 0.5% to these vessels would not have substantial impacts on other limited access and general category vessels.

Amendment 15 allowed LAGC IFQ permit holders to permanently transfer some or all of their quota allocation to another LAGC IFQ permit holder while retaining the permit itself. During development of Amendment 15, the Council considered an option that would have included LA/LAGC IFQ permit holders in this allowance; however, the Council opted against this option because it would change the

overall 5% and 0.5% allocations specified in Amendment 11. For example, the 5% allocation would be expected to increase if an LA/LAGC IFQ vessel permanently transferred quota to an LAGC IFQ-only vessel. An increase in the 5% allocation would have implications on quota accumulation caps that apply to LAGC IFQ-only permit holders (i.e. 5% maximum for owners, 2.5% maximum for individual vessels).

4.5.1 Alternative 1—No Action

There would be no change to the current prohibition on quota transfers by Limited Access vessels with IFQ.

Rationale: This alternative is consistent with the Council's rationale from Amendment 15, in that allowing permanent transfers would change the overall 5% (i.e. LAGC IFQ) and 0.5% (i.e. LA with IFQ) allocations specified in Amendment 11. For example, the 5% allocation would be expected to increase if an LA/LAGC IFQ vessel permanently transferred quota to an LAGC IFQ-only vessel. An increase in the 5% allocation would have implications on quota accumulation caps that apply to LAGC IFQ-only permit holders (i.e. 5% maximum for owners, 2.5% maximum for individual vessels).

4.5.2 Alternative 2—Allow temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only

Alternative 2 would allow temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only permits and would maintain the existing prohibition on transferring quota in to LA vessels with IFQ.

Alternative 2 would not change how quota is allocated to LAGC IFQ-only and LA with IFQ permits; for example, the LAGC IFQ-only component would be allocated 5% of the APL and LA vessels with IFQ would be allocated 0.5% of the APL based on the contribution factor associated with either permit type.

Under Alternative 2, quota accumulation caps would remain consistent with the limits established through Amendment 15 for LAGC IFQ-only permits, regardless of any additional quota that may become available through one-way, temporary transfers from LA vessels with IFQ. This means that an individual LAGC IFQ permit cannot hold more than 2.5% of the pounds allocated to the LAGC IFQ component in a year and that an ownership entity can hold no more than 5% of the pounds allocated to the LAGC IFQ component in a year.

Rationale: Allowing one-way, temporary transfers from LA vessels with IFQ to LAGC IFQ-only permits would increase the overall level of quota available to LAGC IFQ-only vessels. Allowing temporary quota transfers from LA with IFQ to IFQ-only would not require changes to how allocations are estimated and distributed among LAGC IFQ-only and LA vessels with IFQ because quota would only be able to move temporarily (i.e. annually).

4.5.3 Alternative 3—Allow permanent and temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only

Alternative 3 would allow permanent and temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only permits and would maintain the existing prohibition on transferring in quota to LA vessels with IFQ.

Under Alternative 3, quota accumulation caps would remain consistent with the limits established through Amendment 15 for LAGC IFQ-only permits, regardless of any additional quota that may become available through one-way, temporary transfers from LA vessels with IFQ. This means that an individual LAGC IFQ permit cannot hold more than 2.5% of the pounds allocated to the LAGC IFQ component in a

year and that an ownership entity can hold no more than 5% of the pounds allocated to the LAGC IFQ component in a year.

Alternative 3 would modify how contribution factors are estimated to account for any permanent transfer of quota that may occur from LA vessels with IFQ to LAGC IFQ-only permits. Annual LAGC IFQ allocations are determined by the contribution factor of individual LAGC IFQ permits. A vessels contribution factor is calculated based on its general category scallop fishing history during the qualification period (March 1, 2000 to November 1, 2004) and accounts for a vessels best year (in terms of total scallop landings) and an index multiplier correlated with the number of years a vessel was active during the qualification period. The contribution factor of each LAGC IFQ permit is then translated to a percentage (i.e. individual contribution factor divided by the sum of contribution factors across the entire LAGC IFQ fleet), and vessels/permits receive that percentage of the fleetwide quota allocation to the LAGC IFQ component in a given year. At present, this system is used to allocate to the LAGC IFQ-only and LA with IFQ separately; for example, allocations associated with contribution percentages of LAGC IFQ-only permits are based on the 5% of the APL, and allocations associated with contribution percentages of LA with IFQ vessels are based on 0.5% of the APL. this alternative would require that LAGC IFQ-only and LA vessels with IFQ share a common denominator to account for permanent movement between the two sub-components of the IFQ fleet. Modifying the denominator used to calculate allocations would not change the level of allocation for a given permit, but instead would consider contribution percentages relative to 5.5% of the APL as a whole instead of among two distinct pools of quota (i.e. 5.5% and 0.5%).

Rationale: Allowing one-way, permanent and temporary transfers from LA vessels with IFQ to LAGC IFQ-only permits would increase the overall level of quota available to LAGC IFQ-only vessels.

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