

# **Amendment 21 to the Scallop Fishery Management Plan Action Plan**

**Council:** New England Fishery Management Council

**Fishery Management Plan:** Atlantic Sea Scallops

**Title of Action:** Amendment 21

**Scope:** Consider measures for: 1) the Northern Gulf of Maine (NGOM) Management Area, and 2) Limited Access General Category (LAGC) individual fishing quota (IFQ) possession limits.

**Objectives:**

***Northern Gulf of Maine Management Area:***

The Council is planning to develop measures that will support a growing directed scallop fishery in federal waters in the NGOM. To do so, the action will consider measures that would prevent unrestrained removals from the NGOM management area and allow for orderly access to the scallop resource in this area by the LAGC and LA components. This includes establishing mechanisms to set allowable catches and accurately monitor catch and bycatch.

***LAGC IFQ Possession Limits and LA Quota Transfers to LAGC IFQ vessels:***

The Council is planning to develop measures that will increase the LAGC IFQ possession limit and allow LA vessels to transfer IFQ to LAGC IFQ vessels to 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. To do so, the action will consider 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.

**Likely Range of Alternatives:**

1. Northern Gulf of Maine:
2. Limited Access General Category IFQ Possession Limits:
3. One-way quota transfer from LA with LAGC IFQ to LAGC IFQ only permits

**Applicable Laws/Issues:**

**NEPA Analysis (EIS/EA/CE/SIR):** This amendment is expected to require an EA. A determination to prepare an EA was made once the range of alternatives were identified at the April 2020 Council meeting. A Notice of Intent (NOI) to prepare an EIS was published on March 1, 2019 in of the event that an EIS would be needed for this action.

**Endangered Species Act/Marine Mammal Protection Act:** This action is expected to have an informal ESA consultation.

**Other Applicable Laws and Regulatory Requirements:** Typical issues and analyses expected at this time.

**Plan Development Team Membership and Other Individuals: (All assignments are TBD pending approval by supervisors)**

	Organization	Member	Responsibility
Plan Development Team	NEFMC	Jonathon Peros	Chair of Scallop PDT, Plan Coordinator, and Amendment 21 project manager. Coordinate drafting of relevant documents and Amendment 21 DEA including description of alternatives and analyses. Complete Biological impacts and support other impact analyses.
	NEFMC	Sam Asci	Summarize and present scoping comments. Coordinate the development of LAGC IFQ possession limit and IFQ transfer alternatives and updating the affected environment. Technical support related to development of A21 alternatives, including GIS analyses. Complete Protected Species and Non-Target Impact Analyses.
	NEFMC	Dr. Naresh Pradhan	Technical analyses related to development of A21 alternatives. Complete fishery/economic data requests for the PDT. Develop/write Economic Impact Analyses and impacts on fishery participants. Provide RIR/RFA analyses including summary of economic impacts.
	NEFMC	Dr. Rachel Feeney	Analyze scoping comments. Collaborate on updating Affected Environment and writing Fishery Impacts/Social Impact Assessment. Consultation on development of measures and impacts on the resource and fishery.
	NMFS GARFO Sustainable Fisheries	Travis Ford	Chair of Implementation Team, primary point of contact at GARFO for A21. Identify potential policy, regulatory, and administrative issues during development and review. Support with data needs and development of document.
	NMFS GARFO APS	Benjamin Galuardi	Complete data requests for the PDT. Identify potential monitoring issues during development and review.
	NMFS GARFO NEPA	Tim Cardiasmenos	Review document for completeness in terms of NEPA requirements during development and review.
	NMFS GARFO Protected Resources	Danielle Palmer	Consultation on development of measures and impacts on protected resources.
	NMFS NEFSC Population Dynamics	Dr. Dvora Hart	Technical work associated with scallop resource. Consultation on development of measures and biological impact analyses.
	NMFS NEFSC Social Science Branch	???	Complete data requests for the PDT as needed. Assist with Economic and Social Impact Analyses.
	NMFS NEFSC Fisheries Sampling	Chad Keith	Complete observer program data requests for the PDT. Identify potential monitoring/observer program issues during development and review.

	RI Department of Environmental Management	Chris Parkins	Provide state fishery and survey information. Consultation on development of measures and impacts on the resource and fishery.
	Maine Department of Marine Resources	Amber Lisi	Consultation on development of measures and impacts on the resource and fishery.
	Virginia Institute of Marine Science (VIMS) (retired)	Dr. William DuPaul	Consultation on development of measures and impacts on the resource and fishery.
	Virginia Institute of Marine Science (VIMS)	Dr. David Rudders	Provide data from available scallop surveys. Consultation on development of measures and impacts on the resource and fishery.
Others	NEFMC	Michelle Bachman	Complete Essential Fish Habitat Impact Analyses for EA.

## NMFS Implementation Team Membership:

**Implementation Team Chair:** Travis Ford, GARFO Staff

Organization	Name	Responsibility
NMFS GARFO SFD	Travis Ford	Implementation Team Chair; primary GARFO contact
NMFS GARFO SFD	Shannah Jaburek	GARFO contact, website updates
NMFS GARFO APSD	Ben Galuardi	Consult on development of measures with monitoring considerations
NMFS GARFO IRM	Ken Ortiz	Update databases with appropriate allocations
NMFS GARFO SHA	Greg Power	Update port agents on new regulations
NMFS OLE	Caleb Gilbert	Consult on development of measures with enforcement considerations
NMFS GARFO Comms	Allison Ferreira	Prepare email for public

## Implementation Team Issues:

<i>Enforcement:</i>	TBD
<i>Information Resource Management (IRM):</i>	TBD
<i>Statistics:</i>	TBD
<i>Observer Coverage:</i>	TBD
<i>Administrative issues/costs:</i>	TBD
<i>Regulatory clarification/simplification:</i>	TBD
<i>Data Requirements:</i>	TBD
<i>VMS:</i>	TBD
<i>Protected Resources:</i>	TBD
<i>Plan for How to Measure the Effectiveness of the Action:</i>	TBD
<i>Other:</i>	TBD

**Worksheet 1: Timeline for Amendment 21 with September 2020 Final Action (EA Timeline)**

<b>2019</b>	
<b>JAN</b>	<b>NEFMC - review action plan and approve scoping document</b>
FEB-APR	NOI for developing an EIS is published – Scoping period
<b>JUN</b>	<b>NEFMC - Review Amendment 21 scoping comments; develop goals and objectives;</b>
JULY-DEC	Scallop PDT, AP, Committee work to develop background information and alternatives regarding Northern Gulf of Maine and LAGC IFQ possession limits. Scallop PDT reviews scoping comments, discusses technical analyses to support A21.
<b>2020</b>	
JAN-MAR	Scallop PDT, AP, Committee work to develop background information and alternatives regarding Northern Gulf of Maine and LAGC IFQ possession limits. Scallop PDT reviews scoping comments, discusses technical analyses to support A21.
<b>APR</b>	<b>NEFMC – Approve range of alternatives</b>
MAY	PDT completes Impact Analyses
<b>JUN</b>	<b>NEFMC - Review/approve Draft EA for public hearings, select preferred alternatives for NGOM and LAGC IFQ possession limits</b>
JULY-AUG	Staff prepare document for public hearings, public comment period and public hearings, summarize public input
<b>SEP</b>	<b>NEFMC - Council takes final action</b>
OCT-DEC	Staff update EA for preliminary submission
<b>2021</b>	
FEB	Preliminary submission of amendment document including EA
MAY - JUNE	Final submission of amendment document including EA
JULY - AUG	NOA & Proposed Rule (starts 95-day clock)
OCT - NOV	Final rule & Implementation

## Worksheet 2: Timeline for Amendment 21 with April 2021 Final Action (EA Timeline)

<b>2019</b>	
<b>JAN</b>	<b>NEFMC - review action plan and approve scoping document</b>
FEB-APR	NOI for developing an EIS is published – Scoping period
<b>JUN</b>	<b>NEFMC - Review Amendment 21 scoping comments; develop goals and objectives;</b>
JULY-DEC	Scallop PDT, AP, Committee work to develop background information and alternatives regarding Northern Gulf of Maine and LAGC IFQ possession limits. Scallop PDT reviews scoping comments, discusses technical analyses to support A21.
<b>2020</b>	
JAN-MAR	Scallop PDT, AP, Committee work to develop background information and alternatives regarding Northern Gulf of Maine and LAGC IFQ possession limits. Scallop PDT reviews scoping comments, discusses technical analyses to support A21.
<b>APR</b>	<b>NEFMC – Approve range of alternatives</b>
MAY	PDT completes Impact Analyses
<b>JUN</b>	<b>NEFMC - Review/approve Draft EA for public hearings, select preferred alternatives for NGOM and LAGC IFQ possession limits</b>
JUN-AUG	Staff prepare document for public hearings
SEP-MAR	Public comment period and public hearings
<b>2021</b>	
SEP-MAR	Public comment period and public hearings
JAN	NEFMC – Update
<b>APR</b>	<b>NEFMC – Council takes final Action</b>
MAY - JUN	Preliminary submission of amendment document including EA
JUN -AUG	Final submission of amendment document including EA
AUG-SEPT	Final rule & Implementation

### **Worksheet 3: Detailed Timeline for Amendment 21**

TBD – to be developed by IT Chair



**Action Plan Versions:**

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Change Description</b>
1	January 11, 2019	Peros	Prepared for Scallop AP and Committee meetings on January 17 & 18, 2019
2	May 15, 2019	Peros	New issue added by Council at January meeting added to timeline description.
3	September 11, 2019	Peros	Modified anticipated timeline. Council approve range of alternatives at January 2020 meeting.
4	February 26, 2020	Peros	Modified Anticipated timeline. Council approve range of alternatives at April 2020 meeting. Updates to Scallop PDT.
6	June 11, 2020	Peros/Ford	Modified language and anticipated timelines for A21 based on preparing an EA vs. EIS. Added a second timing option for completing final action. Added Amber Lisi to the PDT, who is replacing Carl Wilson for ME DMR.