

DECISION DOCUMENT

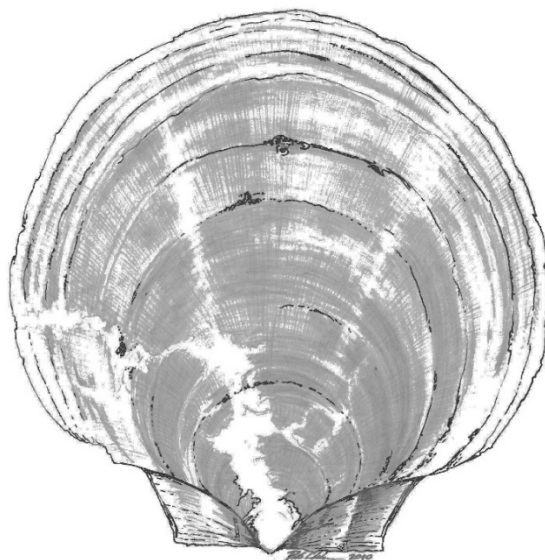
for

Framework Adjustment 32

to the

Atlantic Sea Scallop FMP

AP and Committee Copy (11/15/19, version 1)



Scallop AP and Committee

November 19 & 20, 2019

Providence, RI

This document was developed to provide the Council a decision making tool for measures under consideration in Scallop Framework Adjustment 32.

Anticipated Action by AP and Committee:

1. Prior to selecting preferred alternatives, the AP and Committee will receive a presentation on specification alternatives, including information on flatfish bycatch. In October, the Committee signaled that it would review bycatch estimates associated with spatial management alternatives and then determine next steps for mitigating impacts. Since some spatial measures are expected to reduce flatfish bycatch in the Georges Bank stock area, the AP and Committee should plan to discuss if additional measures are needed after identifying a preferred alternative in Section 4.3.
2. Select *preferred alternative* for FY 2020 and FY 2021 OFL and ABC (Section 4.1)
3. Select *preferred alternatives* for Northern Gulf of Maine Management Measures (Section 4.2)
 - a. Select a *preferred alternative* for closure of Stellwagen Bank to protect small scallops.
 - b. Select a *preferred alternative* for 2020/2021 NGOM TAC.
4. Select a *preferred specifications alternative* for FY 2020 and FY 2021 specifications (Section 4.3).
 - a. *Modify alternatives, as necessary.* For example, some members of the PDT discussed seasonal closures of open bottom in CAII-ext on Eastern Georges Bank. This option is not in the Framework. Confirm the re-opening of the NLS-Hatchet area. Discuss when open area fishing would be allowed in NLS-West.
 - b. Select a *preferred specifications alternative* for FY 2020 and FY 2021 specifications.
 - c. Determine if additional measures are recommended to mitigate impacts on GB YT flounder. If so, *consider a motion or consensus statement.*
 - d. Provide input on *preferred approach* to trip trading (motion or consensus).
5. Select a *preferred alternative* for allocating LAGC IFQ access area trips. (Section 4.4)
6. Select a *preferred alternative* for additional measures to reduce fishery impacts. (Section 4.5).
 - a. Select a *preferred alternative* for RSA compensation fishing.
 - b. If necessary, select a *preferred alternative* for measures to mitigate impacts on GB YT.
7. Consider moving measures to considered and rejected.
8. Other Business

The numbers at the top of each page correspond to the Anticipated Action listed above.

Action #1

Section 4.1 – Overfishing Limit and Acceptable Biological Catch

AP & CTE: You may wish to identify a preferred alternative for this section.

Section 4.1 - OFL and ABC			PDT Preferred	AP Preferred	CTE Preferred
4.1.1	Alt. 1	No Action			
4.1.2	Alt. 2	Updated OFL and ABC for FY 2020 and FY 2021	**		
Decisions/Questions/Information to Consider:					
<p>This measure would update OFL and ABC estimates using the most recent survey information.</p> <p>The SSC approved updated OFL and ABC values for 2020 and 2021 (default) at its meeting on Oct. 17, 2019 in Boston, MA.</p> <p>The Atlantic sea scallop resource is considered healthy; the stock is not overfished and overfishing is not occurring.</p> <p>Alternative 2, updating the OFL and ABC, is supported by the Scallop PDT.</p>					
Other important Considerations/Draft EA References <i>(ready for Council mailing)</i>					
<p>Biological Impacts: 6.2.1</p> <p>Non-target species impacts: 6.3.1</p> <p>Protected resource impacts: 6.4.1</p> <p>Impacts on Physical Environment and Essential Fish Habitat: 6.5.1</p> <p>Impacts on Human Communities (Social and Economic Impacts): 6.6.1</p> <p>Summary Economic impacts: See document 3b.</p>					

Action #2

Section 4.2 – Northern Gulf of Maine Management Area

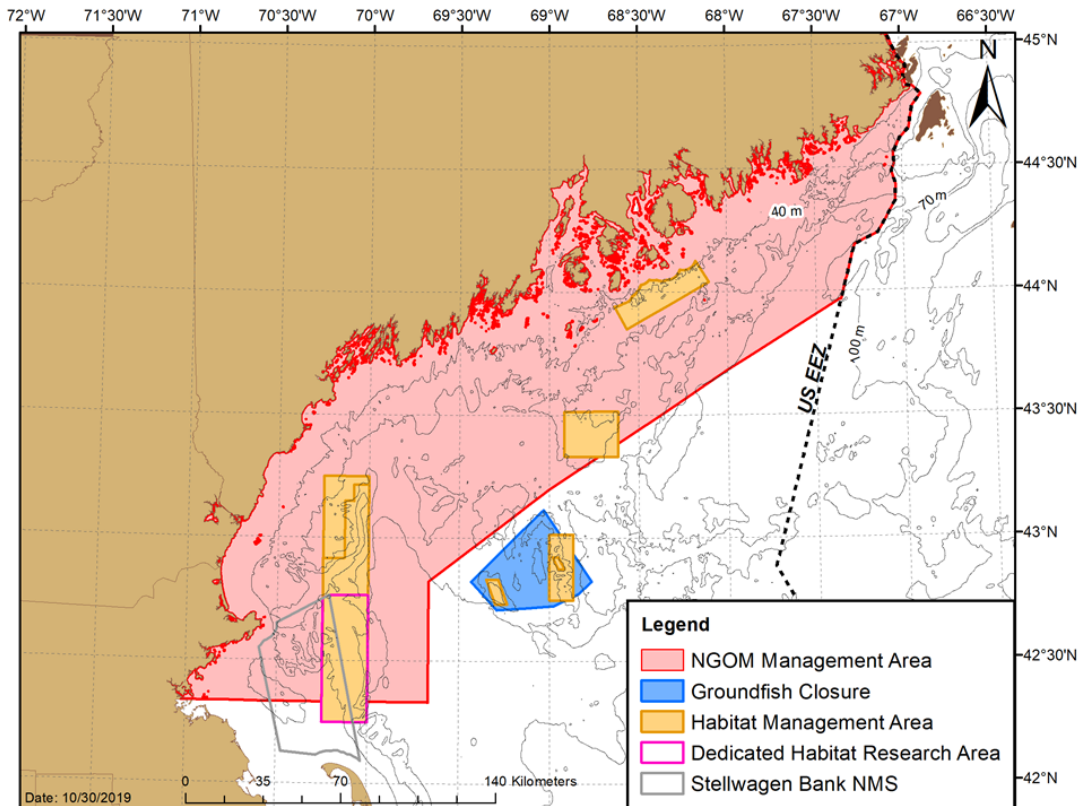
The Council developed the following problem statement to guide the development of Northern Gulf of Maine Management Measures in Framework 29:

Recent high landings and unknown biomass in the NGOM scallop management area underscore the critical need to initiate surveys and develop additional tools to better manage the area and fully understand the total removals from the management area.

Measures in Framework 32 were developed to be consistent with this problem statement. The Council is considering alternative methods of TAC sharing through Amendment 21 to the Scallop FMP.

In Framework 32, the Council is considering action on two issues: 1) the partial closure of Stellwagen Bank, north of 42°20'N, to protect small scallops, and; 2) TAC setting for the management unit using the temporary approach approved through Framework 29, and used in Framework 30.

Map 1 - The Northern Gulf of Maine Management Area relative to groundfish closures, habitat management areas, and the Stellwagen Bank National Marine Sanctuary.



Section 4.2.1 – Partial Closure of Stellwagen Bank to Protect Small Scallops

Map 2 - Boundary of partial closure of Stellwagen Bank to directed scallop fishing within the NGOM Management Area (Alternative 2).

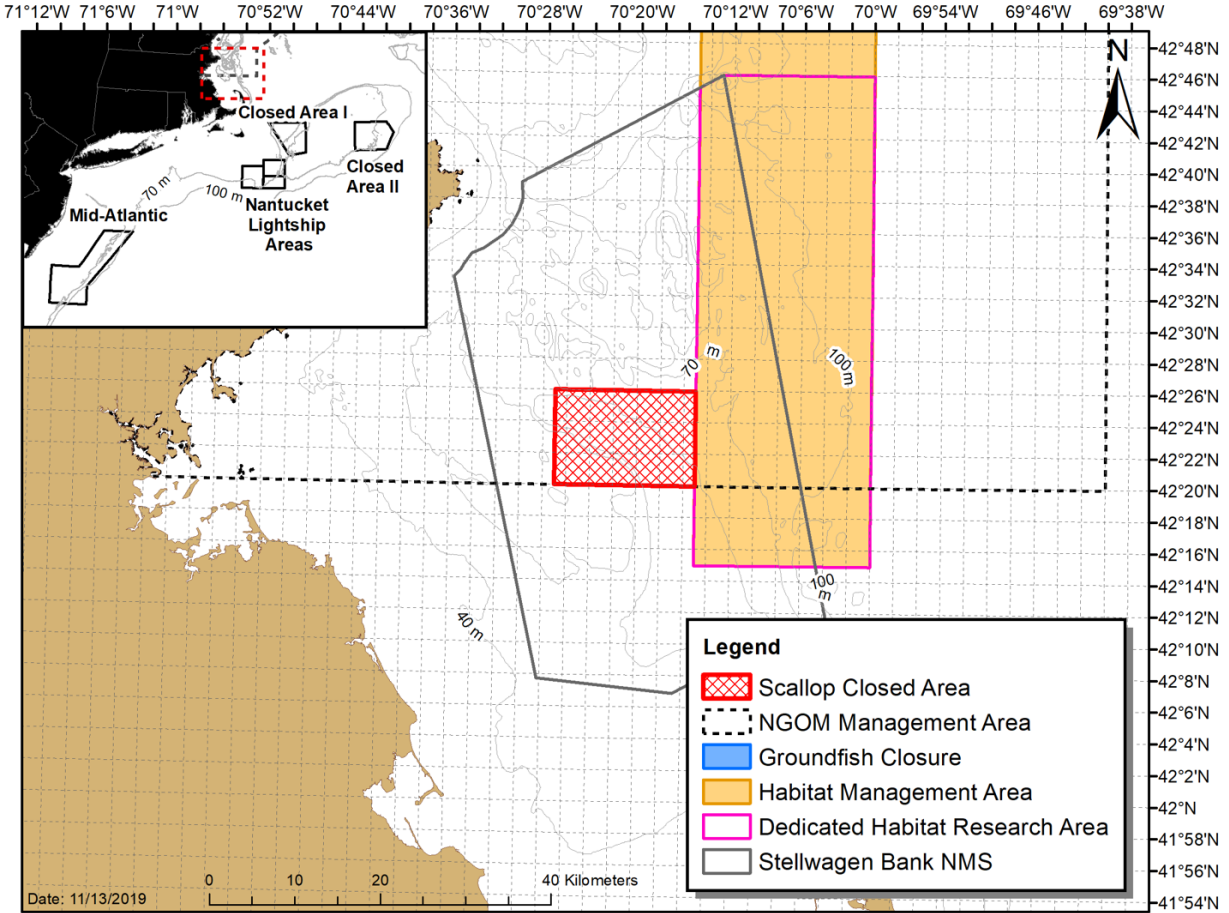


Table 1 - Coordinates of partial closure of Stellwagen Bank to directed scallop fishing within the NGOM Management Area (Alternative 2).

Point	Latitude	Longitude
1	42° 26' 0" N	70° 27' 0" W
2	42° 26' 0" N	70° 15' 0" W
3	42° 20' 0" N	70° 15' 0" W
4	42° 20' 0" N	70° 27' 0" W
5	42° 26' 0" N	70° 27' 0" W

Section 4.2.1 – Partial Closure of Stellwagen Bank to Protect Small Scallops

4.2.1 - Partial Closure of Stellwagen Bank (2 year closure)			PDT Pref.	AP Pref.	CTE Pref.
4.2.1.1	Alt. 1	No Action (no closure)			
4.2.1.2	Alternative 2	Partial Closure of Stellwagen Bank to directed scallop fishing, within the Northern Gulf of Maine Management Area (2 year closure)	**		
Decisions/Questions/Information to Consider:					
<p><i>Rationale:</i> The 2019 ME DMR/UMaine dredge survey of the Northern Gulf of Maine detected large numbers of small scallops on Stellwagen Bank. Alternative 2 closes part of the NGOM to improve the yield-per-recruit, while providing some access to larger, older scallops that were also observed in the 2019 surveys. Some directed scallop fishing could be expected north and west of the closure boundaries as well as on southern Jeffreys Ledge and in Ipswich Bay.</p>					
<p>Other important Considerations/Draft EA References (<i>ready for Council mailing</i>)</p>					
<p>Biological Impacts: 6.2.2 Non-target species impacts: 6.3.2 Protected resource impacts: 6.4.2 Impacts on Physical Environment and Essential Fish Habitat: 6.5.2 Impacts on Human Communities (Social and Economic Impacts): 6.6.2</p>					

Section 4.2.2 – Northern Gulf of Maine TAC

Table 2 – Comparison of NGOM TAC options under consideration for FY 2020 and FY 2021.

FW 32 Alternative	FW 32 Section	F	2020 TAC (lbs)	2021 TAC (lbs)
1	4.2.1		170,000	0
2, Sub-Option 1	4.2.2.2.1	0.18	310,000	240,000
2, Sub-Option 2	4.2.2.2.2	0.20	350,000	265,000
2, Sub-Option 3	4.2.2.2.3	0.25	435,000	320,000

Table 3 - Comparison of Potential NGOM TACs for LA (RSA) and LAGC for FY 2019 (lbs) for each sub-option considered in Alternative 2 of Section 4.2.

FW 32 Alternative	FW 32 Section	F	2020 TAC (lbs)	LA/RSA Share (lbs)	LAGC Share (lbs)
1	4.2.1		170,00	50,000	120,000
2, Sub-Option 1	4.2.2.2.1	0.18	310,000	120,000	190,000
2, Sub-Option 2	4.2.2.2.2	0.20	350,000	140,000	210,000
2, Sub-Option 3	4.2.2.2.3	0.25	435,000	182,500	252,500

4.2.2 (continued)

4.2.2 - Northern Gulf of Maine TAC			PDT Pref.	AP Pref.	CTE Pref.
4.2.2.1	Alt. 1	No Action (170,000 lb TAC)			
4.2.2.2.1	Alt. 2 – Sub-Option 1 F=0.18	Set 2020 and 2021 NGOM TAC at F=0.18, with first 70,000 lbs to LAGC, then 50/50 split between LA and LAGC. 2020 Overall TAC: 310,000 2021 Overall TAC: 240,000			
4.2.2.2.2	Alt. 2 – Sub-Option 2 F=0.2	Set 2020 and 2021 NGOM TAC at F=0.20, with first 70,000 lbs to LAGC, then 50/50 split between LA and LAGC. 2020 Overall TAC: 350,000 2021 Overall TAC: 265,000			
4.2.2.2.3	Alt. 2 – Sub-Option 3 F=0.25	Set 2020 and 2021 NGOM TAC at F=0.25, with first 70,000 lbs to LAGC, then 50/50 split between LA and LAGC. 2020 Overall TAC: 435,000 2021 Overall TAC: 320,000	NOT rec'd by PDT		
Decisions/Questions/Information to Consider:					
<p>The Council has developed a range of TAC measures in FW32 that are consistent with management changes made through Framework 29.</p> <p>The 2020 and 2021 (default) TAC would be set by applying a fishing mortality rate to the projected exploitable biomass from Ipswich Bay, and Jeffreys Ledge.</p>					
Other important Considerations/Draft EA References <i>(ready for Council mailing)</i>					
<p>Biological Impacts: 6.2.2</p> <p>Non-target species impacts: 6.3.2</p> <p>Protected resource impacts: 6.4.2</p> <p>Impacts on Physical Environment and Essential Fish Habitat: 6.5.2</p> <p>Impacts on Human Communities (Social and Economic Impacts): 6.6.2</p> <p>Summary Economic impacts: See document 3b.</p>					

Overview of specifications options considered in FW 32:

1. All three alternatives that were developed for FW 32 (4.3.2, 4.3.3, 4.3.4) would allocate six total access area trips to the FT LA component. All three alternatives would allocate 1 trip to Closed Area II (18,000 pound allocation), 1 trip to the Nantucket Lightship-South-Deep (18,000 pound allocation), 2 trips to the Mid-Atlantic Access Area (MAAA) (36,000 pound allocation), ½ trip to Closed Area I Flex trip (9,000 pound allocation that can be flexed to the MAAA), and ½ trip to the Nantucket Lightship-North (9,000 pound allocation). The FT LA trip limits would be 18,000 lbs for all access areas.
 - a. What is a FLEX trip and why is the Council considering it? The “FLEX” concept in FW32 is similar to what the Council preferred for CAI FLEX trips in FW30 and the ET-FLEX/MAAA in FW28. Closed Area I has been fished for the last two year, including CAI carryover pounds in FY2018. The 2019 surveys and 2020 projections suggest that the area can only support a partial trip in 2020. If projections for 2020 exploitable biomass are overly optimistic, it could be difficult for the fishery to achieve the allocation in CAI. The FLEX concept would allow vessels to fish their “CAI” trip in the MAAA if CAI is not producing as anticipated. Vessels could opt not to go to CAI at all, or could land part of their CAI trip, and redirect the remaining FLEX allocation to the MAAA. Exploitable biomass in the MAAA is projected to be more sufficient to support any redirection from CAI – the PDT anticipates that these areas would be available for access area fishing again in 2021.
2. The FT LA DAS options of 20, 22, or 24 DAS for each alternative. The FW also analyzed 18 DAS (No Action – FW30 Default), and 18 DAS (Status Quo Comparison). *For the preferred alternative, the AP and Committee should also specify which DAS sub-option they recommend.*
3. The Scallop Committee recommended the following Part-Time LA allocations for FW 32 measures: Three part time access area trips at 12,000 lb allocations and trip limits. Two trips would be allocated to the MAAA and one trip would be allocated to Closed Area II.
4. Opportunity to fish FY 2020 AA trips during the first 60 days of FY 2021: Allocated Limited Access access area trips would be available in the same access areas defined by Framework 32 for the first 60 days of FY 2021, even if the area is scheduled to close in FY 2021. Vessels planning to fish 2020 access area allocation must start their trip (i.e., position on their VMS unit seaward of the demarcation line) by 23:59 on May 30, 2021. For example, trips allocated to the Nantucket Lightship-West access area could only be fished in the access area boundary defined by FW32 in the first 60 days of FY 2021.
 - a. PDT Input: Do not allow open area fishing at the same time as AA fishing in NLS-W. The PDT proposes that the NLS-West switch from an access area to open bottom on June 1.

Action #3

Scallop Fishery Specifications

Table 4 - Anticipated Annual Projected Landings, including Limited Access and LAGC IFQ allocations.

FW32 Alt.	Description	Overall F rate	FT DAS	Open area F	Annual Projected Landings (APL)	APL w/ set-asides removed	LA Share (94.5%)	LAGC IFQ Share (5.5%)
4.3.1	No Action	0.061	18	0.24	27,593,057	25,292,158	23,901,089	1,391,069
4.3.2.1	CAII ext Open 20 DAS	0.18	20	0.24	48,633,975	46,333,076	43,784,757	2,548,319
4.3.2.2	CAII ext Open 22 DAS	0.183	22	0.27	50,353,581	48,052,682	45,409,784	2,642,897
4.3.2.3	CAII ext Open 24 DAS	0.189	24	0.3	52,046,731	49,745,832	47,009,811	2,736,021
4.3.3.1	CAII ext Closed 20 DAS	0.177	20	0.27	48,307,691	46,006,792	43,476,418	2,530,374
4.3.3.2	CAII ext Closed 22 DAS	0.18	22	0.3	49,972,181	47,671,282	45,049,361	2,621,921
4.3.3.3	CAII ext Closed 24 DAS	0.182	24	0.33	51,619,034	49,318,135	46,605,638	2,712,497
4.3.4.1	SF & CAII ext Closed 20 DAS	0.171	20	0.3	46,693,907	44,393,008	41,951,393	2,441,615
4.3.4.2	SF & CAII ext Closed 22 DAS	0.175	22	0.34	48,208,483	45,907,584	43,382,667	2,524,917
4.3.4.3	SF & CAII ext Closed 24 DAS	0.18	24	0.38	49,696,603	47,395,704	44,788,940	2,606,764

Scallop Fishery Specifications

4.3 – Fishing Year 2020 & 2021 Specifications			PDT Pref.	AP Pref.	CTE Pref.
4.3.1	Alt. 1	No Action: 1 trip to MAAA, 1 trip to NLS-West, 18 DAS			
4.3.2.1	Alt. 2, sO1	6 Access area trips, CAII-ext OPEN 20 DAS			
4.3.2.2	Alt. 2, sO2	6 Access area trips, CAII-ext OPEN 22 DAS			
4.3.2.3	Alt. 2, sO3	6 Access area trips, CAII-ext OPEN 24 DAS			
4.3.3.1	Alt. 3, sO1	6 Access area trips, CAII-ext CLOSED 20 DAS			
4.3.3.2	Alt. 3, sO2	<i>6 Access area trips, CAII-ext CLOSED 22 DAS* (also delayed closure option)</i>	**		
4.3.3.3	Alt. 3, sO3	6 Access area trips, CAII-ext CLOSED 24 DAS			
4.3.4.1	Alt. 4, sO1	6 Access area trips, CAII-ext & Southern Flank CLOSED (SE Parts) 20 DAS			
4.3.4.2	Alt. 4, sO2	6 Access area trips, CAII-ext & Southern Flank CLOSED (SE Parts) 22 DAS			
4.3.4.3	Alt. 4, sO3	6 Access area trips, CAII-ext & Southern Flank CLOSED (SE Parts) 24 DAS			

Decisions/Questions/Information to Consider:

The Scallop PDT Recommends Alternative 3, a closure on CAII-ext. The group discussed the year round closure tasked by the Committee, and delayed closure starting Aug. 15 through the remainder of the FY. The PDT noted that a closure should be considered for two years (close for FY2021) to give small scallops time to recruit into the fishery. After several years of unremarkable recruitment, the PDT feels that Alternative 3 would protect some of the recruitment observed in the CAII-ext. The group also expects this closure to reduce impacts on both Georges Bank yellowtail flounder and Northern windowpane. For the reasons stated above, the PDT does not recommend Alternative 2, no closure of CAII-ext. The PDT also discussed a closure of the southern flank (Alternative 4), and does not support a closure of this area for FY2020 after evaluating the trade-offs of increased open area F.

The Scallop PDT recommends allocating 22 DAS. The rationale for this is to keep overall open area F rates low in the absence of an incoming year class in the open bottom. The fishery is currently mining scallops that are available. The PDT noted that open area F was underestimated last year, and that the realized F rate is likely be higher than what is projected.

The PDT recommends moving options to considered and rejected after a preferred alternative is identified.

Trip Trading Considerations

Framework 32 is considering access area allocations of 9,000 pounds and 18,000 pounds. The 9,000-pound allocations are being considered for areas that do not have enough exploitable biomass to support a “full trip” of 18,000 pounds (i.e. CAI, NLS-North). The following subsections outline the range of approaches that could be employed to allocate partial access to the NLS-North and CAI in FW32. **The Advisory Panel and Committee should put forward a motion or consensus statement signaling the approach that is preferred:**

1. No change to the current trip trading regulations. This would mean that access area allocations would only be tradeable on a one-for-one basis at the increment of the possession limit (i.e. 18,000 pounds). Under this option, 9,000-pound trips in the NLS-North and CAI would not be tradeable.
2. Allocate a split trip to the NLS-North and CAI using a random, non-regional lottery system. Half of the FT LA fleet would receive one 18,000-pound trip to the NLS-North and the other half of the FT LA fleet would receive one, 18,000-pound “flex” trip to CAI. CAI “flex” allocation could be fished in either CAI or the MAAA. One-for-one trip exchanges would be permitted for all access area trips at increments of the possession limit (i.e. 18,000 pounds).
3. Allocate the entire FT LA fleet a “half trip” of 9,000 pounds to both the NLS-North and CAI and maintain an 18,000-pound possession limit for all available access areas. Half trips could be fished or vessels could trade a half trip from one area for a half trip in the other, making a full trip (i.e. 18,000 pounds) in the area of their choice. Half trips in either the NLS-North or CAI could only be traded for other half trips from these areas at an increment of 9,000 pounds, and full trips (i.e. 18,000 pounds) could be traded for other full trips. For example, a NLS-North half trip could be traded for a CAI half trip to make a full trip in CAI—that full trip in CAI could then be traded for a full trip in CAII, the MAAA, or the NLS-S-Deep. A NLS-North half trip could ***not*** be traded for a half trip (i.e. 9,000 pounds) in CAII, the MAAA, or NLS-S-Deep trip. CAI “flex” allocation could be fished in either CAI or the MAAA.
4. Allow pound for pound exchanges to all areas in increments of 9,000 pounds (the lowest allocation). For FW32, all access area allocations could be tradeable in an increment of 9,000 pounds regardless of the initial allocation. For example, 9,000 pounds from the NLS-North could be traded for 9,000 pounds from CAII. CAI “flex” allocation could be fished in either CAI or the MAAA.

Action #4

Section 4.4 – Access Area Trip Allocations to the LAGC IFQ Component

Table 5 - Potential LAGC IFQ Access Area Trips by Area for FY 2019.

Specs. Alt.	Distribution of CAII trips	LAGC IFQ Trips	CAI	NLS-North	NLS-S-deep	MAAA
		Total Trips	Allocated LAGC Trips to Each Access Area			
Alt. 1	No Action	1,142	571 trips to NLS-West & 571 trips to MAAA			
A2, Sub-Opt. 1	MAAA, NLS-N, CAI	2,855	476	476	571	1,333
A2, Sub-Opt. 2	NLS-N, CAI	2,855	571	571	571	1,142
A2, Sub-Opt. 3	NLS-N, NLS-S-deep, CAI	2,855	476	476	761	1,142

Table 6 - Section 4.4 - PDT, AP, and Committee Preferred Alternatives

Section 4.4 – Access Area Trip Allocations to the LAGC IFQ Component			PDT Pref.	AP Pref.	CTE Pref.
4.4.1	Alt. 1	No Action (1,142 trips, default measure)			
4.4.2.1	Alt. 2, Sub-Option 1	Distribute Closed Area II Access Area Allocation to the MAAA, CAI, and NLS-N Access Areas			
4.4.2.2	Alt. 2, Sub-Option 2	Distribute Closed Area II Access Area Allocation to CAI and NLS-N Access Areas			
4.4.2.3	Alt. 2, Sub-Option 3	Distribute Closed Area II Access Area Allocation to CAI, NLS-N, and NLS-S-deep Access Areas			
Decisions/Questions/Information to Consider:					
The PDT does not support trips being reallocated to the NLS-S-deep.					

Action #5

Section 4.5 – Additional Measures to Reduce Fishery Impacts

Section 4.5.1 – RSA Compensation Fishing

Section 4.5.1 – RSA Compensation Fishing			PDT Pref.	AP Pref.	CTE Pref.
4.5.1.1	Alt. 1	No Action, RSA Comp fishing restricted to open areas			
4.5.1.2	Alt. 2	Allow RSA compensation fishing in the Mid-Atlantic Access Area, with limited RSA compensation fishing in the NGOM Management Area.	**		
Decisions/Questions/Information to Consider: <i>(ready for Council mailing)</i>					
This decision considers where scallop RSA compensation fishing can occur in FY 2020.					

[PLACEHOLDER]

Section 4.5.2 –Measures to Mitigate Impacts on Georges Bank Yellowtail Flounder

Preliminary outlook for 2020 scallop fishery flatfish sub-ACLs:

	OFL	US ABC	Scallop ABC	Scallop ABC	Scallop ACL	2020 Bycatch Projections
Stock	2020	2020	percentage			
GB Yellowtail Flounder	unknown	120	16%	19	19	~23 mt
SNE/MA Yellowtail Flounder	31	22	projected	2	2	2-3 mt
Northern Windowpane Flounder	84	59	21%	12	12	30-34 mt
Southern Windowpane Flounder	568	426	36%	153	143	133-148 mt

Considerations:

Spatial management measures in FW32 are expected to help mitigate impacts on Georges Bank yellowtail flounder.

PDT analysis on bycatch savings by month:

- An April closure would save 3.3% (reducing total 2020 bycatch by less than 1mt)
- A closure through the end of November would save 11% (reducing total 2020 bycatch by less than 3mt). *If the Committee is requesting an additional measure to protect GBYT, an additional two week closure in the November could be considered for FY 2020 only.*
- Neither of these options reduces the estimated bycatch below the sub-ACL, but would severely restrict fishing activity in CAII.
- The proposed closures of CAII-Southwest and CAII-Ext will likely result in higher bycatch savings than additional seasonal closures for CAII, particularly if bycatch in GB open bottom is underestimated.
- Based on the VIMS survey, GB YT were concentrated in the southwest portion of CAII (the proposed closure area) in June, which will likely be peak fishing time for the area. By the time YT move to deeper water in late summer/fall, the Aug 15-Nov 15 seasonal closure is in effect.
- In Framework 58 the Council modified the Georges Bank Yellowtail AM policy for fishing year 2020 so that a reactive AM would only be triggered if the scallop fishery *and* the overall US fishery catch exceeded the sub-ACL.
- The projected GB YT catch is projected to exceed the sub-ACL by ~4mt. The scallop fishery is not expected to exceed its sub-ACL by over 150%.

Northern Windowpane Flounder Discussion on November 15, 2019:

- The PDT noted that the NWP projection is above the sub-ACL.
 - The CAI estimate is likely over-estimated for FY2020.
 - Bycatch projections suggest that the majority of catch is coming from the Great South Channel, Closed Area II, and Closed Area I.

Figure 1 - Spatial distribution of the number of yellowtail flounder caught in the 2019 VIMS survey by gear conducted in June.

