

**Modifying Access Areas to Be Consistent with OHA2
Discussion Document**

The Council has expressed interest in revisiting access areas boundaries as a follow-up to the approval of the Omnibus Habitat Amendment. Several areas, including former habitat and groundfish closures, in Closed Area I and the Nantucket Lightship recently became available. However, NMFS did not approve measures for eastern Georges Bank that would have modified habitat management areas and facilitated access for the scallop fishery inside what is currently Closed Area II. There are several other issues that the Council may wish to consider as part of this priority (outlined below). The appropriate vehicle (Framework vs. Amendment) will be determined by the scope of issues addressed in this priority.

For AP and Committee to Consider:

- 1. What does the Council hope to achieve with this priority?**
 - a. Goals and objectives? Problem statement(s)?**
- 2. Based on the answer to #1 (above), what is the desired timeline for completing work on this issue?**
 - a. Wait until after FY 2018 is complete and develop in 2019 (for 2020 implementation)?**

Potential issues to cover in this priority:

- a) Modify existing access area boundaries
- b) Address scallop access on Eastern Georges Bank (northern edge)
- c) Revisit the rotational management principles of Amendment 10
- d) Environmental changes and other issues post benchmark (SAW/SARC 65)
- e) Exploitable biomass vs. Effective biomass

b) Address scallop access on Eastern Georges Bank

A follow-up action to address access on eastern Georges Bank would likely involve both the Habitat Committee and the Scallop Committee (to be clear, nothing has been decided). The timing of this is uncertain – the Habitat PDT is working to complete the Deep-Sea Coral Amendment, and the Committee is developing a clam framework as follow-up to OHA2. Council staff (Michelle Bachman) is also tracking and supporting the Council’s input on offshore wind, oil, and gas proposals, and working on an updated fishing gear effects model, in collaboration with Alaska Pacific University.

c) Revisit the rotational management principles of Amendment 10

In recent years, the Council has considered the principles of rotational management laid out in Amendment 10 but has not explicitly used the growth criteria for opening and closing areas. The Council has recommended modifying access area boundaries on a relatively fine scale in recent actions to protect smaller animals (EX: ET/MAAA, NLS). There may also be new situations going forward, where it could make sense from a price/market perspective to prosecute smaller animals if the scallops appear likely to have meat quality issues (nematodes) when they achieve larger sizes (U10).

In November of 2017 the PDT noted that it was challenging to formulate a recommendation for access area fishing because there were a wide range approaches that could be taken with areas like NLS and CAI becoming available. For example, PDT recommendations would vary depending on whether the Council wanted to maximize overall landings, or optimize landings of U10s and U12s. Achieving OY and optimizing yield were discussed at that PDT meeting.

d) Environmental Changes and other issues post benchmark (SAW/SARC 65)

- Are there paradigm shifts occurring in the fishery? If so, how can (should) the plan account for these? (Anticipate that the benchmark will identify and address some of these)
 - Poor recruitment in Virginia, and now Delmarva
 - Nematode infections in MAAA from the south of Delmarva into Hudson Canyon access area.
 - Bottom temperature considerations?
 - Settlement of scallops in new areas (NLS-west)

e) Exploitable biomass vs. effective biomass

The SAMS model projections for the NLS and ET have reflected the exceptionally large number of scallops in these areas, but do not account for whether these animals are likely to be harvested by the fishery. The animals in the deep water of the NLS-S are slow growing, and dredge survey participants have reported thin shells and small, stingy meats. In the Elephant Trunk, very little growth was observed among animals sampled in the 'Blob' area of high density between 2016 and 2017 dredge surveys. VMS data for this area suggests that the fishery concentrated in areas north of the 'Blob' in the first part of 2017. The other issue in the Mid-Atlantic is scallop meat quality, and the marketability of animals infected with nematodes. Dr. David Rudders described these issues last year as 'exploitable biomass' vs. 'effective biomass', with effective biomass being the animals that the fishery is likely to target and harvest.

A comfortable buffer (~50 million pounds) has existed between the ACL and landings limits (2016, 2017), largely driven by the exploitable biomass in formerly unavailable in habitat and groundfish closures (NLS, CAI). The passage of OAH2 and the opening of these areas (in the absence of exceptionally strong recruitment events) represents a change for the fishery in terms of how the ACL flowchart has functioned in recent years (i.e. very low risk of exceeding the ACL or triggering an AM). Going forward as NLS and CAI are fished, it is conceivable that the distance between the ACL and APL will shrink.

Other Considerations:

If there is a process for revisiting EGB in 2018 – the Council may want to consider aligning it with changing other areas like CAI and NLS and take a more holistic approach?

The Council is still waiting for a decision by NMFS on the expansion of dredge exemption areas (as specified in the Groundfish FMP). These potential changes might influence analyses for this topic.

Northeast Georges Bank is distinct from other areas of significant scallop biomass in that it is considered to be relatively vulnerable to fishing, and it overlaps with a groundfish habitat area of particular concern and habitat management area closed to mobile bottom-tending gears. The OHA2 final rule should provide further NMFS perspective on this issue, but defining scallop access in the area will involve habitat conservation issues and not just scallop yield and non-target bycatch issues.

PDT Input and Recommendations:

- It is important to review the performance of the FY2018 before attempting a major overhaul of the system. Things to consider:
 - New availability in NLS-West and CAI, 6 access area trips and lowered DAS.
 - Completed benchmark/updated stock status
 - Possibly new SAMs areas in the GOM.
 - Data needs for each issue – and ability to gather the data (RSA program, NEFSC survey)
- The Council may want to address this priority in a holistic way over multiple years.

Potential Timeline and Approaches to Modifying Access Areas:

Variable/Issue	Approach 1: FY 2019 target	Approach 2: FY 2020+ target
Timeline	1 year, completed in FW30	1+ years, modify areas in time for 2020/2021
Include Eastern Georges Bank as part of process	Unlikely	Likely – Joint effort of Habitat and Scallops
Consider survey needs to aid this effort in RSA process?	Unlikely – 2018/2019 RSA awards expected to be announced in March 2018	Yes – Recommendations for 2019/2020 made in June of 2018. (Develop proposed boundaries in Y1, surveys could cover general area for spec setting)
Consider the performance of the 2018 fishery, particularly in Nantucket Lightship South & West, Closed Area I, and the ET. First time parts of NLS and CAI will be open in 20 years.	Not in a holistic manner. Some data may be available in the fall, partial FY information.	Yes – Complete data from 2018 fishing year. Considerations: <ul style="list-style-type: none"> • Bycatch • Disease/meat quality • Are there good fishing grounds? • AA boundary configurations • Have the closures worked? • Fishery allocation impact on market/price