

FRAMEWORK 21 EXECUTIVE SUMMARY

This framework and Environmental Assessment (EA) presents and evaluates management measures and alternatives to achieve specific goals and objectives for the Atlantic sea scallop fishery. This document was prepared by the New England Fishery Management Council and its Scallop Plan Development Team (PDT) in consultation with the National Marine Fisheries Service (NMFS, NOAA Fisheries) and the Mid-Atlantic Fishery Management Council (MAFMC). This framework was developed in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA, M-S Act) and the National Environmental Policy Act (NEPA), the former being the primary domestic legislation governing fisheries management in the U.S. Exclusive Economic Zone (EEZ). This document also addresses the requirements of other applicable laws (See Section 6.0).

In addition to the No Action alternative, the Council considered various other alternatives to address the purpose and need of this action. The purpose of this action is to achieve the objectives of the Atlantic Sea Scallop Fishery Management Plan (FMP), which is to prevent overfishing and improve yield-per-recruit from the fishery. The primary need for this action is to set specifications to adjust the day-at-sea (DAS) allocations and an area rotation schedule for the 2010 fishing year. This framework adjustment also addresses other issues such as compliance with reasonable and prudent measures required in recent turtle biological opinion and minor adjustments to the observer set aside program.

The proposed action includes a specific Acceptable Biological Catch (ABC) level as required by the reauthorized Magnuson Act (2007). For 2010 the ABC will be set at 29,578 mt (65.2 million pounds), including an estimated 3363 mt – 7.4 million pounds - for non-yield fishing mortality (discards and incidental mortality). Therefore, the overall ABC for the fishery, excluding discards and incidental mortality is 26,219 mt (57.8 million pounds).

Fishery specifications for 2010 are included in this action for both limited access and limited access general category vessels. Fishery allocations are based on an overall fishing mortality target of $F=0.20$ (Scenario NCLF20 – no new closure in the Channel and overall F of 0.20). Access areas available to the fishery this year include: Elephant Trunk, Delmarva, and Nantucket Lightship. This action considered closing a new access area in part of the Great South Channel, but that alternative was not selected as part of the final action. After mortality from access areas is accounted for, the open area DAS allocations are set so that the overall fishing mortality equals 0.20 for the proposed action. Under this target the open area DAS allocations are approximately 9,860 DAS for the fleet overall, equivalent to 29 DAS for full-time vessels, 12 DAS for part-time vessels and 3 DAS for occasional vessels.

The final action assumes that the IFQ program is fully implemented for the general category fishery before March 1, 2010. If it is delayed past March 1, 2010, this document includes measures for the LAGC fishery that would extend the “transition period” to IFQs through the 2010 fishing year, allocating 10% of the TAC to IFQ vessels. However, the Council’s final decision assumes that the IFQ program will be in effect before March 1. Therefore, all qualifying limited access general category vessels will be allocated a specific amount of the total general category allocation based on their qualifying contribution factor. The total general

category allocation will be equivalent to 5% of the projected landings for 2010, which is 2.1 million pounds. Individual vessels will be allocated a set poundage they can fish from open areas or access areas if available. The general category fishery has been allocated 5% of projected catch from each access area as a total number of fleetwide trips. Once the fishery uses all trips in an access area the area is closed to general category fishing for the remainder of the year. All these measures were adopted under Amendment 11; this action only specifies the overall TAC for the 2010 fishing year and the number of access area trips available in 2010. The hard-TAC for vessels that qualify for a limited access Northern Gulf of Maine general category permit will remain at 70,000 pounds for 2010. Similarly, the target TAC for limited access incidental catch permits will remain at 50,000 pounds for 2010.

If approved, this action does include one new provisions for limited access general category vessels. Framework 21 allows IFQ vessels to lease portions of their annual allocation during the fishing year. Amendment 11 prohibited leasing portions of allocations, leasing was restricted to full allocation amounts.

A primary objective of this action is to include specific measures to comply with reasonable and prudent measures developed by NMFS in a recent biological opinion on this fishery regarding impacts on sea turtles. The proposed action includes a combination of measures considered including a two-month seasonal closure of the Delmarva access area from September 1-October 31 and a limit on the number of access area trips that can be taken in access areas within the Mid-Atlantic from June 15 through October 31. During this period, each vessel is restricted to taking 2 of the 3 allocated Mid-Atlantic access area trips in the Mid-Atlantic. Since both Mid-Atlantic access areas would now be closed from September 1-October 31 to reduce impacts on sea turtles (if approved), the trip limit is applicable from June 15 through August 31. It was also noted during the Council deliberations that the overall allocation decision related to keeping fishing mortality at 0.20 will also limit open area effort in the Mid-Atlantic compared to recent years and other allocation scenarios considered in this action with higher open area DAS amounts.

Lastly, this action includes a measure to improve the observer set-aside program by limiting the amount of compensation a general category vessel can receive on observed access area trips. The limit would be equivalent to the value of one day of compensation, regardless of trip length. So if a general category vessel fishes for more than one day in an access area, even a portion of an additional day, it would not be eligible for more than one day of compensation from the observer set-aside program. The compensation rate is set by NMFS in the final regulations for each framework.

Summary of alternatives considered and the Council's rationale for the proposed action

Acceptable Biological Catch (Section 2.3)

Acceptable Biological Catch for this fishery in 2010 will be set at 29,578 mt (65.2 million pounds), including an estimated 3363 mt – 7.4 million pounds - for non-yield fishing mortality (discards and incidental mortality). Therefore, the overall ABC for the fishery, excluding discards and incidental mortality is 26,211 mt (57.8 million pounds). Acceptable Biological Catch (ABC) is defined as the maximum catch that is recommended for harvest, consistent with meeting the biological objectives of the management plan.

This level was recommended by the Science and Statistical Committee (SSC) and various sources of scientific uncertainty were considered when setting this value. The Council did not consider any alternative ABCs in this action. The SSC presented their report to the Council regarding ABC for 2010 at the September 2009 Council meeting and the Council agreed with their findings based on analyses prepared by the Scallop PDT. ABC calculations were based on the assumption of uniform fishing, and in particular, that there were no EFH or rotational closures. This is consistent with the current FMP overfishing definition, which defines overfishing relative to a "whole stock" fishing mortality. Therefore, the ABC calculation gives what would be an appropriate catch if all areas were open. That is not the case in the plan since there are Groundfish mortality closed areas and EFH closed areas that are not accessible to the fishery, as well as scallop rotational areas that are only available to the fishery at certain times and effort is limited. Therefore, a lower fishing mortality target should be set to prevent overfishing in areas that are accessible, since all exploitable scallop biomass is not accessible to the fishery.

Allocation Scenarios (Section 2.4)

The Council considered four specific allocation scenarios for this action in addition to the No Action alternative. Two scenarios included closing a new access area in part of the Great South Channel and two did not include the closure. Various levels of overall fishing mortality were considered as well ranging from an overall $F=0.18$ to $F=0.24$. All four scenarios, as well as the No Action alternative include a total of four access area trips. All four scenarios included two trips in Elephant Trunk, one in Delmarva and one in Nantucket Lightship. The scenarios vary based on whether or not the new area is closed and how many open area DAS equate to the various fishing mortality targets.

Ultimately the Council selected a scenario that did *not* include a new closure in the Channel and an overall fishing mortality target of 0.20, the "NCLF20" scenario. This scenario includes 4 access area trips and 29 open area DAS for full-time limited access vessels. The Council ultimately selected this scenario for several primary reasons: 1) to reduce the risk of overfishing; 2) the short term economic impacts in 2010 are outweighed by long term benefits; and 3) the proposed action has fewer impacts on finfish bycatch and sea turtles compared to higher F scenarios. Below is a summary of the Council discussion and rationale related to this decision.

1. Reduce the risk of overfishing

All four scenarios were developed by the PDT to meet the goals of the FMP to prevent overfishing. The FMP requires that the stock-wide fishery mortality target be set at 80% of overfishing threshold ($F=0.29$). However, the PDT is authorized to recommend precautionary measures to prevent overfishing and ensure that optimum yield is achieved on a continuing basis. For example, in Framework 19 (specifications for 2008 and 2009) the PDT and Council also recommended a lower fishing mortality target of 0.20 to prevent localized overfishing in open areas and to account for other constraining issues on the fishery that lower optimum yield such as concerns about finfish bycatch. Setting the target fishing mortality rate at 0.20 also recognized that fishing mortality is not uniformly distributed in the scallop fishery (i.e. not all exploitable scallop biomass is accessible to the fishery) and, as such, is prone to localized overfishing.

As part of the framework analysis, the PDT prepared a SAFE Report to assess the current condition of the scallop resource. This evaluation included updated estimates of actual fishing mortality for 2008 and 2009. The results indicate that these actual fishing mortality rates are at or just above the overfishing threshold of $F=0.29$, despite the fact F_{target} was set at 0.20 for those years. Based on the SAFE Report results in this action, the Council expressed concern that even with a target of 0.20 it appears overall fishing mortality was closer to 0.28 for 2008 and 0.30 for 2009. If F is higher than the threshold, overfishing is occurring. Thus, the Council determined that an overall reduction in fishing mortality is necessary in 2010 to ensure that overfishing ends, if in fact it is currently occurring. The status of the scallop resource is not officially changed until it is updated by a stock assessment or update report from the Science Center. The next scallop assessment is scheduled for Spring 2010.

Since FW19 the PDT has improved the assumptions and models used to set $F_{targets}$ primarily based on adjustments made to how fishing mortality is estimated from open area DAS. Modifications have been made based on work the PDT did for developing alternatives in Amendment 15 to comply with new annual catch limit (ACL) requirements. To take this into account, the FW21 analysis included an adjustment to the model for calculating DAS to more accurately reflect the landings per-unit-effort (LPUE) value. Therefore, it is likely that projected targets used in FW21 will be closer to realized landings and fishing mortality compared to projections used in previous frameworks. However, the Council was not comfortable supporting a higher F rate until these revised methods could be fully vetted through the assessment process this summer and other changes approved through the full amendment process within Amendment 15.

In addition to the new analyses done by the PDT in Amendment 15 to better quantify scientific and management uncertainty, Amendment 15 is also considering an alternative to revise the overfishing definition. The current overfishing threshold of 0.29 is based on an assumption that fishing mortality is spatially uniform. However, this does not fully reflect the the scallop fishery due to unfished biomass in closed areas and variable fishing mortality rates in access and open areas. The FMP has compensated for this by setting F_{target} much lower than $F_{threshold}$. The new definition under consideration in Amendment 15 is more spatially-explicit, and allows different target F s for the open areas and access areas that vary by area and time. The revised overfishing definition under consideration would address the need to use a low overall F_{target} to compensate for the fact that fishing effort is highly non-uniform and to help mitigate localized depletion of the scallop resource in the open areas. Because these modifications are still under consideration and may not be selected or approved in Amendment 15 until 2011, the Council must adhere to the current $F_{threshold}$ of 0.29 adopted by the Council in FW19 and based on the results of the most recent stock assessment (SAW45).

2. Short term economic impacts in 2010 are significantly outweighed by long term benefits

Once the Council decided not to close a new area in the Great South Channel, the status quo F_{target} alternative ($F=0.20$) performed the best in terms of longer term biological and economic impacts. From 2010-2016 the no closure and $F=0.24$ scenario (NCLF24) has the lowest projected biomass, landings, and economic revenues. The Council discussed that while the

economic impacts of the proposed action (NCLF20) are substantial for 2010, these impacts are outweighed in 2011 and beyond.

The proposed action estimates a short-term loss of revenue of about \$40 million in 2010 compared to the higher F alternative; total revenue for proposed action is estimated to be \$304 million compared to \$344 under higher F option for 2010. However, over the next several years the proposed action projects about 5 million more pounds landed with associated economic benefits. Specifically, the proposed action would result in higher revenues in the longer term (an average just under \$12 million more each year from 2011 -2016 compared to the higher F option). Several Council members expressed that they were more comfortable with an additional cushion below F threshold in 2010 since long-term impacts on the fishery and society as a whole were highest for the proposed action.

The reason for higher revenues after 2010 is that a considerable portion of the current biomass is small scallops (less than 40 count). Some of these scallops will reach 30-count size during the 2010 fishing year, thus will be susceptible to 4-inch rings. Fishing on smaller scallops in 2010 will reduce the growth potential of recent year classes with above average recruitment, and reduce long term yield because these scallops have more yield potential left. In order to optimize yield per animal effort levels should be lower now until these scallops have time to grow; hence lower F in 2010 gives better long-term results.

In the short-term (i.e. fishing year 2010), landings, revenues and economic benefits for the proposed action could fall short of landings and economic benefits for the ‘No Action’ alternative. As a result, revenues, producer and consumer surpluses, and total economic benefits for the proposed action will be lower than the levels for other alternatives in the short-term (2010), but will exceed the levels for other alternatives in the long-term with the exception of the new closure alternative with low F (CLF18). The proposed action will have positive long-term economic impacts and will increase the present value of total economic benefits to the nation by \$86 million (at 7% discount rate) to \$125 million (at 3% discount rate) compared to No Action.

Comparing impacts of the proposed action to FY2009 is useful to get an idea of immediate impacts, but in terms of comparing the options before the Council it is not realistic. Allocations and conditions in 2009 were not an option before the Council when setting 2010 specifications. None of the alternatives include five access area trips and revenue generated by the fishery in 2009 includes roughly 10 million pounds of additional catch above the estimates of projected catch for 2009. FW19 estimated total catch to be 46 million pounds in 2009. The fishing year is not over yet, but the SAFE report estimates that the total catch is expected to be closer to 56 million pounds.

The Council discussed that it would be desirable for the industry to maintain consistent landings from year to year, but this is difficult due to the high variability in scallop recruitment. Specifically, in 2000-2004 there was very high recruitment observed during 1998-2001 on Georges Bank and during 1998-2004 in the Mid-Atlantic, and that has provided increased catch and revenue for the fishery in recent years. However, in the middle of this decade recruitment has been average in the Mid-Atlantic and low on Georges Bank. As the large year classes have been fished down, they have not been fully replaced by the more limited mid-decadal year

classes. Recruitment on Georges Bank has increased recently, but these scallops will still be small in 2010, so that yield per recruit would be optimized if harvesting would be delayed to 2011 and beyond, rather than in 2010.

Lastly, it was emphasized at the Council meeting that the reduced yield in 2010 will be a single year event. By 2011, the PDT expects that Hudson Canyon will be ready for reopening, Delmarva may support 1-2 trips, Elephant Trunk may have a trip left, and at least one trip in Georges Bank is expected. So higher catch levels are expected again in 2011 and beyond. Under area rotation it should be expected that modest variations in catch will occur, especially with highly variable recruitment events. In addition, maintaining conservative F levels should prevent the boom and bust pattern that used to exist in this fishery prior to limited entry, limits on effort and area rotation.

3. Reduced impacts on finfish bycatch, sea turtles and EFH

Finally, the proposed action also has lower area swept projections, which has implications for expected impacts on bycatch, sea turtles and EFH. Several Council members cited this as another reason they supported $F=0.20$ compared to $F=0.24$. The higher F option results in more YT bycatch in the scallop fishery - about 5% more of SNE YT in 2010, and that is more than some members could support at this time. In general less effort means less time gear is in the water, which translates into fewer impacts on bycatch, sea turtles, and EFH from less fishing time and reduced bottom contact time.

In summary, reducing effort in 2010 gives better long-term landings, and reduces bycatch of yellowtail flounder, reduces potential interactions with sea turtles, and reduces habitat impacts compared to higher F scenarios. Therefore, the Council's rationale for selecting this allocation scenario for 2010 is expected to optimize yield and reduce the risk of overfishing on a continuing basis, as required by MSA.

Measures for General Category vessels (Section 2.6)

This action includes specific allocations for the general category fishery in terms of number of fleetwide access area trips. The hard-TAC for the NGOM management unit is 70,000 pounds for 2010, and the target TAC for incidental permits is 50,000 pounds. This action also considered an alternative to allow partial leasing of general category IFQ allocations during the fishing year. The Council adopted this alternative to increase flexibility for general category qualifiers and improve overall economic profits of the IFQ program.

Consideration of a new rotational area in the Great South Channel (Section 2.7)

This action considered a new rotational area closure in part of the Great South Channel to protect strong recruitment in that area. After several years when scallops have grown and increased yield potential the area would reopen as a rotational access area with controlled access. The Council decided not to close this area at this time. At first the Council was cautious not to close a portion of the Channel because area rotation is the cornerstone of this FMP and has been a very successful strategy. During the final Council meeting it was noted that one consequence of area rotation is short term impacts from closing an area and shifting effort, but the long term gains from optimizing yield per recruit is what has allowed this program to be so successful. Ultimately, however the Council decided not to close the area because the timing is not right and

there are too many concerns in this action in terms of what impacts would be from expected shifts of effort from the Channel to other areas.

Specifically, 2010 is the first year the scallop fishery will be allocated a fixed amount of yellowtail flounder as bycatch, and the new closure is expected to shift effort to the Mid-Atlantic with greater impacts on SNE/MA yellowtail flounder. In addition, this action is the first time the Council has been requested to adopt measures to comply with a reasonable and prudent measure related to sea turtles which requires NMFS to limit scallop effort in the Mid-Atlantic when turtles are likely to be present. Because the closure in the Channel is expected to shift effort to the Mid-Atlantic this is also problematic when this action is supposed to limit scallop effort in the Mid-Atlantic. Lastly, closing the channel area could have beneficial impacts on the EFH in that area for several years when scallop fishing would be prohibited. But the analyses suggest that increases in area swept in other areas would likely offset any beneficial impacts on EFH from the closure. It was also noted that part of this access area is within the boundaries of the proposed cod HAPC area under consideration in Phase II of the EFH Omnibus Amendment. Identifying part of the area as a scallop access area now could constrain future decisions of the Council related to fishing effort in that area in the future.

Overall the Council argued this is not the right time to close the channel because there are several actions in development and soon to be initiated that may address some of the present constraints. Specifically, Amendment 15 may address EFH boundary issues within closed areas on Georges Bank that would provide additional access into areas with higher catch rates, Phase II of the EFH Omnibus Amendment may revise EFH management all together, and the Council voted to initiate an action in 2010 that would consider measures to address yellowtail bycatch by scallop vessels. Until these matters are considered in other actions, it seemed premature to adopt something that could exacerbate these issues further.

In summary, the biological projections show that the closure has two immediate effects: it reduces F and forces fishing effort elsewhere. The first effect causes there to be more open area days at a given fishing mortality with a closure than without, and vessels are concentrated in a smaller area. That is why catch rates are lower and area swept projections are higher at first for the two options that close the channel. After the channel rotational area opens in 2013 catch rates are higher and area swept is lower for the two scenarios that close the channel area. However, the differences are marginal and the Council felt that the cumulative increases (benefits) in yield as a result of the closure was small compared to the immediate increases in area swept (costs) in the Mid-Atlantic that could have finfish bycatch and sea turtle impacts.

Alternatives to comply with the reasonable and prudent measure (RPM) in turtle biological opinion (Section 2.8)

This action includes alternatives to comply with the reasonable and prudent measure included in the recent biological opinion for the scallop fishery related to impacts on sea turtles. In summary, NMFS must limit the amount of allocated limited access scallop fishing effort that can be used in the Mid-Atlantic during the periods in which turtle takes have occurred, but the restrictions shall be limited to a level that will not result in more than a minor impact on the fishery. The Council considered a handful of measures to limit effort in this area from mid-June through the end of October. The measures ranged from limits on DAS or access area trips that

could be used in that area and time period, seasonal closures of access areas in the Mid-Atlantic, and reduced possession limits in Mid-Atlantic access areas. After the Scallop Committee reviewed the preliminary analyses of the alternatives, some were considered more than minor due to high distributional impacts on vessels from the south compared to vessels from the north. One measure that was considered not more than minor was the seasonal closure in the Delmarva access area. Because this measure alone seemed to have neutral impacts on the fishery and possibly positive impacts on fishing mortality by shifting effort from time periods with lower meat weights to potentially higher meat weights, the Council was not confident this measure alone would be sufficient to meet the requirement of the RPM.

Therefore, at the November Council meeting the Council considered several “combined measures” of the alternatives already under consideration to ensure this action is compliant with the requirement to limit effort up to the point where impacts are more than minor. All three combined measures considered included the seasonal closure in Delmarva and some combination of limited effort within access areas in the Mid-Atlantic and during the turtle season. Ultimately the proposed action includes a combination of measures considered including a two-month seasonal closure of the Delmarva access area from September 1-October 31 and a limit on the number of access area trips that can be taken in access areas within the Mid-Atlantic from June 15 through October 31. Each vessel is restricted to taking 2 of the 3 allocated access area trips in the Mid-Atlantic. Since both Mid-Atlantic access areas are now closed from September 1-October 31 to reduce impacts on sea turtles, the limit is applicable for June 15 through August 31.

Limiting the maximum number of trips to two per vessel will move 358 DAS from the turtle window to the rest of the year, which constitutes about a 4.0% effort shift. There would be no loss in scallop revenue because the vessels will be allowed to land the same amount of pounds. Because more trips will take place in the window when meat weights are lower compared to the status quo, it will take more DAS to land the same pounds. Therefore fleet fishing costs will increase by \$15,584. In addition, this measure will involve closure of DMV (Alternative 3) from September 1 through October 31. It is estimated that 64 DMV trips (6.7%) would normally take place during the months of September to October. The DAS used for these trips is estimated to be 563, and this effort will be removed from turtle window. This constitutes a 6.3% effort shift and an increase in F of 0.002 for the entire turtle window from June 15 to August 31. Because more trips will take place in the window when meat weights are lower compared to the status quo, it will take more DAS to land the same pounds. Therefore the fleet fishing costs will increase by \$24,530 because of the DMV closure.

The net change in F of closing DMV (increase in F of 0.002) and limiting the number of trips to two trips per vessel during the June 15 – August 31 window (increase in F of 0.001) will be a net increase in F of 0.003. The combined measure will also result in a 10.3% shift of effort from the turtle window (June 15 – October 31) into the rest of the year, which is just above the recommended threshold level for a minor change based on the analyses prepared by the PDT for the original RPMs in FW21. Adding the increase in fishing costs due to the DMV closure to the increase in costs due to effort shifts from ETA during the turtle window, the total trip costs with this combined measure will increase by \$40,115 for the scallop fleet. In summary, this final combined measure would limit scallop effort and not have more than a minor impact on the

fishery. The Council also selected this measure because it does not have some of the timing and implementation issues identified for other combined measures.

It was also noted during the Council deliberations that the overall allocation decision related to keeping fishing mortality at $F=0.20$ will also limit open area effort in the Mid-Atlantic compared to recent years and other allocation scenarios considered in this action that had higher open area DAS amounts. That decision will indirectly limit the number of allocated open area DAS that could potentially be used in the Mid-Atlantic during the turtle season. The combination of these measures is expected to comply with the reasonable and prudent measure developed by NMFS in the recent biological opinion. Furthermore, these measures minimize impacts on sea turtles as required by MSA.

Improvements to the observer set-aside program (Section 2.9)

This action considered two measures to improve specific aspects of the observer set-aside program. The proposed action only includes one of these measures - to limit the amount of compensation a general category vessel can receive on observed access area trips. In recent years there has been an increase in the amount of pounds general category vessels are compensated for observed trips in access areas. The Council was informed that a growing number of vessels seem to be taking advantage of a “loophole” for how compensation is granted. Some vessels leave right before midnight on day 1 and return at some point on day 2 with 400 pounds for the trip plus 400 pounds for each calendar day carrying an observer (total of 1200 pounds).

The proposed action will limit the compensation to the equivalent of one day of compensation, regardless of the length of the trip. The Council heard testimony that 400 pounds is presently more than enough to compensate for the costs of an observer on a general category access area trip and limiting the compensation per trip will help the total observer set-aside compensation pool last longer, reducing the chance of it running out before the end of the year. If the observer set-aside runs out before the end of the year vessels are required to pay for observers with no compensation awarded. Thus the Council supported inclusion of this alternative to eliminate potential abuse of the current program, limit compensation used per trip to help the set-aside last longer during the fishing year and to be more consistent with how compensation is presently used for limited access vessels.

Table 1 is a summary of all the alternatives in Framework 21; the proposed action is in bold face.

Table 1 - Summary of all the alternatives in Framework 21; the proposed action is in bold face.

SECTION	ALTERNATIVES	DESCRIPTION
2.2	NO ACTION (page 17)	
2.2.1	No action	Trip allocations for access area would roll over from FY 2009. TACs would remain as estimated in A11 and FW19.
2.2.2	No action if IFQ program is not fully implemented by March 1, 2010	Allocation to the LAGC fishery is set at 10% instead of 5% under IFQs.
2.2.3	Measures in effect March 1, 2010 until FW21	ETA trips will be managed under the same regulations as 2009, OA days carry over until FW21 implemented.
2.3	Acceptable Biological Catch	SSC recommends ABC = 29,578 mt (65.2 million lbs) in 2010.
2.4	FW21 ALLOCATION SCENARIOS (page 21)	
	NCLF20	Status Quo - No closure in Channel, overall F=0.20 DAS=29; 1 trip in NL, 1 trip in Delmarva, 2 trips in ETA
	NCLF24	No closure in Channel, overall F=0.24 DAS=38; 1 trip in NL, 1 trip in Delmarva, 2 trips in ETA
	CLF20	New closure in Channel, overall F=0.20 DAS= 42; 1 trip in NL, 1 trip in Delmarva, 2 trips in ETA
	CLF18	New closure in Channel, overall F=0.18 DAS=51; 1 trip in NL, 1 trip in Delmarva, 2 trips in ETA
2.5	MEASURES FOR LIMITED ACCESS VESSELS (page 25)	
2.5.1.1	Adjustments when YTF catch reaches 10% TAC Limit	The proposed action includes an allocation of a certain # of open area DAS for a full-time vessel if the Nantucket Lightship Area closes in 2010 due to the YT TAC being reached.
2.5.1.2	TAC set-asides for observers (1%) and research (2%)	The percent of TAC and total DAS set aside for observers (1%) and research (2%) would be removed before allocations are set for limited access and general category fisheries.
2.5.1.4	DAS adjustments if the LAGC IFQ program is not implemented by March 1, 2010	If the LAGC IFQ program is not fully implemented before March 1, 2010 the LAGC fishery is allocated 10% of the total projected scallop catch during the transition period to ITQs, compared to 5% so LA DAS have to be reduced - See Table 9 page 27.
2.6	MEASURES FOR GENERAL CATEGORY VESSELS (page 28)	
2.6.1	Measures if IFQ program is delayed	
2.6.1.1	Quarterly hard-TAC for transition period to limited entry	
2.6.2	Georges Bank access area management	All four scenarios include access into Nantucket Lightship for both the LA and LAGC fleets. The LAGC fleet would be allocated 5% of the total projected catch for that area in the form of fleetwide trips.
2.6.2.1	Yellowtail flounder bycatch TAC	Yellowtail flounder bycatch TAC is shared between the two fisheries; therefore, once the TAC is reached the area closes for both fleets.

2.6.3	Mid-Atlantic access area management	All four scenarios include access into both Elephant Trunk and Delmarva for both the LA and LAGC fleets. The LAGC fleet would be allocated 5% of the total projected catch for both areas in the form of fleetwide trips.
2.6.4	NGOM Hard-TAC	The PDT reviewed landings data from the VTR database and recommends that the hard-TAC for this area be 70,000 pounds for FY2010.
2.6.5	Estimate of catch from LA incidental permits	The PDT recommends this target TAC remain at 50,000 pounds. This catch is removed before allocations to LA and LAGC fisheries.
2.6.6	Allow leasing of partial general category IFQ allocations during the fishing year	IFQ would be lease-able in partial allocations (amounts greater than or equal to 100 lbs) during the fishing year.
2.7	CONSIDERATION OF NEW ROTATIONAL AREA IN THE GREAT SOUTH CHANNEL (page 30)	
2.7.1.1	No action	No new rotational area would close in this action in the Great South Channel vicinity.
2.7.1.2	New rotational area in the Channel north of Nantucket Lightship and west of CAI	An area to the north of the Nantucket Lightship closed area and west of Closed Area I would close to scallop fishing for at least FY2008 and 2009 to protect seed scallops.
2.8	ALTERNATIVES TO COMPLY WITH RPM (page 34)	
2.8.1.1	Restrict number of OA DAS an individual can use in the Mid-Atlantic during a certain window of time	The restriction on DAS a vessel can use in the Mid-Atlantic
	Option A for Area	Would apply to all statistical areas south of the northern boundaries of statistical areas 612, 613, 533, 534, 541, 542, and 543 (see Figure 4).
	Option B for Area	Would apply to all statistical areas south of the northern boundaries of statistical areas 612, 613, 533, 534, 541, 542, and 543 July-October, and a subset of those areas for the month of June only.
	Option A for time window	June 16-October 14 - the full range of observed takes of turtles in scallop fishery.
	Option B for time window	June 15 - October 31 - slightly longer to recognize that turtle migration patterns change over time and one turtle was observed on a research trip near ETA in late October.
2.8.1.2	Restrict number of AA trips in the Mid-Atlantic that can be used during a certain window of time	The number of allocated access area trips that can be taken in the Mid-Atlantic during the two time periods under consideration would be restricted.
	Option A for time window	June 16-October 14 - full range of observed takes of turtles in scallop fishery.
	Option B for time window	June 15 - October 31 - slightly longer to recognize that turtle migration patterns change over time and one turtle was observed on a research trip near ETA in late October.
2.8.1.3	Consider a seasonal closure for Delmarva	The entire access area would close to both general category and limited access scallop vessels.
	Option A	September and October
	Option B	October only
2.8.1.4	Reduce possession limits in ETA and/or Delmarva	Possession limits would be reduced to cut back on effort, perhaps in the range of 10%.

2.8.1.5.1	Combined RPM 1: Reduced possession limit on any access area trip in ETA and/or Delmarva and seasonal closure of Delmarva		
2.8.1.5.2	Combined RPM 2: Limit number of ETA trips with a reduced possession limit and seasonal closure in Delmarva		
2.8.1.5.3	Combined RPM 3: Limit the number of MA access area trips that can be taken during turtle window and seasonal closure in Delmarva.	Vessels would be limited to take either 1 of 3 (Option A) or 2 of 3 (Option B) allocated access area trips allocated in Mid-Atlantic access areas. The Delmarva access area would also be closed from September 1 through October 31.	
2.9	IMPROVEMENTS TO THE OBSERVER SET-ASIDE PROGRAM (page 37)		
2.9.1.1	No action	No changes would be made to the observer set-aside program.	
2.9.1.2	Provisions to discourage vessels owners from not paying deployed observers	This alternative would prohibit a vessel from fishing until all outstanding bills were paid by not issuing a permit to fish in a fishing year after an outstanding bill is due.	
2.9.2	Limit the amount of observer compensation general category vessels can get per observed trip in access areas	This alternative would limit the amount of observer set-aside compensation for IFQ vessels fishing in an access area to the equivalent of one day of compensation, regardless of the length of the trip.	

