

### 3.0 PURPOSE AND NEED

**The purpose of this action is to allow the scallop fishery to benefit from the significant buildup of stock biomass that has occurred since the groundfish closed areas became off limits to scallop vessels.** Between 1994 and 1998, scallop biomass in the three closed areas increased by 15-20 times. The biomass in Closed Area II increased by 8.5 times (Figure 6), while biomass in the other two groundfish closed areas increased by as much as 16 times. The scallop biomass is expected to increase another 19 percent in all three closed areas by August 2000, based on the size of scallops, growth, and natural mortality. This action is also intended to reduce fishing effort in other scallop areas where the stock is dominated by smaller scallops. Considerable fishing effort that now occurs in the open areas will shift to the re-opened closed areas, where scallop size is much larger. The net effect will be to reduce the number of scallops caught by the fishery and therefore reduce fishing mortality, promoting the rebuilding potential of the faster-growing small scallops.

**A previous shift (related more to stock conditions than changing regulations) in scallop fishing effort to the Mid-Atlantic and large catches of yellowtail flounder that threaten rebuilding, reasons for the Council and the Secretary of Commerce to exclude scallop vessels from the Georges Bank closed areas, are less apropos to the present conditions.** The scallop resource in the Mid-Atlantic is no longer attracting as much scallop fishing effort from Georges Bank. At that time, scallop biomass on Georges Bank was low and scallop biomass in the Mid-Atlantic was high due to strong recruitment in 1994. The strong Mid-Atlantic year class in 1994 is now gone (removed by high fishing effort) and biomass on Georges Bank has recovered to historically record levels. As a result, failure to access the groundfish closed areas would significantly increase costs by forcing scallop vessels to fish where scallop biomass is low and waste the opportunity to catch scallops where biomass is high. Fishermen are again reporting many small scallops in the Mid-Atlantic which are also at risk of heavy fishing pressure, unless some of the fishing effort can be transferred to areas of large scallops.

Similarly, the groundfish stocks on Georges Bank are recovering. Fishing mortality for yellowtail flounder, a groundfish stock especially vulnerable to scallop dredges, is well below the target set by Amendment 7 to the Multispecies FMP. According to the projections in the MSMC report (NEFMC 1999c), the 1998 catch of yellowtail flounder was 2,818 mt less than the catch associated with the Amendment 7 fishing mortality target in 2000. Yellowtail flounder are moreover projected to rebuild to  $B_{MSY}$  by 2002, even at the target fishing mortality rate.