

| Alternative | Description | PDT Input | AP Input | Committee Input |
|-------------|-----------------------------|---|---|---|
| 2.2 | No Action | The <i>No Action</i> alternative is a set of measures that will be in place if no other alternative is chosen. See full doc. | | |
| 2.3 | Acceptable Biological Catch | SSC recommended Acceptable Biological Catch for the scallop fishery of 31,279 mt in 2011 and 33,234 in 2012. 2013 default value must also be in this action | No input needed | No input needed |
| 2.4 | Allocation Scenarios | | | |
| | Option 1 | Allocation scenario uses "split fleet" trips where one half of the fleet gets trips in one area, the other half gets trips in another area. No new closures; 32 DAS in 2011 and 34 DAS in 2012 and 4 access trips both years. | Preferred Option 1, with caveats regarding allocation of split trips and tradeability of split trips combined with turtle RPMs with long seasonal closures. | Motion passed to adopt Option 1 as the preferred alternative. "Split trip" allocation should occur randomly (not regionally-based, i.e. a lottery) and transparently. A public posting of who received trips should be available to the fleet to increase ease of trading, and this lottery should be included in the publication of Framework 22 as trip allocation by vessel. |
| | Option 2 | Whole integer trips - 4 trips per year, plus 32 DAS in 2011 and 34 in 2012. | Acceptable scenario if split fleet trips not feasible. | Option 1 has higher benefits than Option 2 and splitting trips across the fleet should be feasible. |
| | Option 3 (SC closure) | New one-year closure in Great South Channel with 2.5 trips in 2012 when opened. 25 DAS and 5 trips in 2011. | | AP still has no interest in closing the Channel because too many fishermen are dependent on these close fishing grounds. Problematic area for rotation. |
| 2.5 | Measures for LA vessels | Trips and DAS will be allocated as determined in Section 2.4 | No input/action needed | No input/action needed |
| 2.5.1.1 | Adjustments for YT | If the 10% YT bycatch TAC is reached and the Georges Bank access areas close, additional open area DAS are allocated for each trip not taken before the area closes at a prorated value of DAS. | No input/action needed | No input/action needed |

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| Alternative | Description | PDT Input | AP Input | Committee Input | |
|-------------|---|--|--|---|--|
| 2.6 | Measures for LAGC vessels | Trips and DAS will be allocated as determined in Section 2.4 | No input/action needed | No input/action needed | No input/action needed |
| 2.6.1 | Allocation for LAGC IFQ vessels | Trips and DAS will be allocated as determined in Section 2.5 | No input/action needed | No input/action needed | No input/action needed |
| 2.6.2.1 | NGOM Hard TAC | No Action - NGOM TAC is 70,000 lbs. | | Unanimous motion to support status quo at 70,000 lbs due to issues with state fishery outlined in letter from Maine DMR. | Motion to support AP, 70,000 lbs. In addition, motion to make management changes a priority in a future scallop action. |
| 2.6.2.2 | | TAC based on recent NGOM biomass estimate of federal waters - 31,100 pounds | Provided value based on survey of 31,100 lbs. There are concerns that the resource may be overfished in this area and a scientific-based TAC is warranted. | | |
| 2.6.3 | Incidental catch | No Action - incidental catch value is 50,000 lbs. | No input given | No input given | Motion to keep status quo, 50,000 lbs |
| 2.7 | TAC set-asides for research and observers | | | | |
| 2.7.1 | Research priorities for 2011 | These were already set and do not need action. | These were already set and do not need action. | These were already set and do not need action. | These were already set and do not need action. |
| 2.7.2 | Research priorities for 2012 and 2013 | A set of updated research priorities would be used. | Provided a set of edits and changes to recommended priorities from 2011. | Motion passed to accept PDT changes and add six more priorities. | Motion passed to accept AP priorities and ordered them by priority. |
| 2.7.3 | Set-asides | 1.25 million pounds for research (A15) and 1% for observers | No input/action needed | No input/action needed | No input/action needed |
| 2.8 | Consideration of GSC closure | No Action - the area in the Great South Channel would remain open. | Not part of preferred allocation scenario. | Not part of preferred allocation scenario. | Not part of preferred allocation scenario. |
| | | The Great South Channel area would be closed for fishing year 2011 and reopened in 2012. | | | |
| 2.9.1.1 | Turtle RPMs | No Action - there would be no specific measures in FW22 to comply with RPM1. | | | |
| 2.9.1.3 | | A series of measures were developed including seasonal area closures, a limit on the amount of trips or DAS in the Mid-Atlantic that can be taken during the turtle window. See full description in Section 2.9. | No time for PDT preferred. Analyses were not completed prior to the last PDT meeting. | Motion passed to support a RPM of one access area trip maximum in the Mid-Atlantic with no seasonal closures. In addition, a caveat should be included that if someone traded in two additional Mid-Atlantic access area trips (to have four total), he would be limited to taking two during the turtle window instead of one. | Motion passed that the Committee would support a RPM of one access area trip maximum in the Mid-Atlantic with no seasonal closures. In addition, a caveat should be included that if someone traded in two additional Mid-Atlantic access area trips (to have four total), he would be limited to taking two during the turtle window instead of one. (Same as AP) |

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| Alternative | Description | PDT Input | AP Input | Committee Input |
|-------------|--|--|--|--|
| 2.10 | Reducing F in Year two if needed | If updated biomass in 2011 shows that biomass in the Channel area is lower than projected the number of allocated trips in 2012 will be reduced. | No input/action needed; not part of preferred allocation scenario. | No input/action needed; not part of preferred allocation scenario. |
| 2.11.1 | Modifications to VMS | <i>No Action</i> - the VMS must stay on at all times when the scallop vessel is away from the dock. | The PDT recommends this also be moved to considered but rejected. Enforcement still has concerns with this, and there is not time for development of this alternative right now if it is not a huge problem. | The AP does not wish to compromise enforcement and feels the current VMS regulations are working. By consensus, the AP will take No Action on the VMS issue left in the document. |
| 2.11.2 | | Allow a vessel to turn VMS off if it does not intent to land scallops | | Motion passed to move the option to turn off VMS if a vessel does not intend to land scallops to the considered but rejected section. |
| 2.12.1 | Re-visit bushel possession limit seaward of demarcation line | <i>No Action</i> - the bushel possession limit for LAGC vessels seaward of the demarcation line will stay at 100 bushels. | PDT preferred to keep at status quo (100 bushels) or some amount slightly greater. | By consensus, the AP will take No action on the bushel possession limit seaward of the demarcation line. |
| 2.12.2 | | The bushel possession limit would be changed to some amount different from 100 bushels to prevent current problems seen by enforcement involving buoying of scallops and potentially limit shell stocking. | | Committee motion passed to take No action on the bushel possession limit seaward of the demarcation line. |
| 2.13.1 | | <i>No Action</i> - unused ET trips must be used by the end of the 60-day period in place (May 1st). | | |
| 2.13.2 | Extension of unused ET trips | ET trips could be used an additional 30 days past the No Action grace period (May 31st). | PDT feels this might reduce negative impacts on the resource by shifting trips that would be taken between now and February 28, 2010 until the spring of 2010 before May 30 when meat weights are larger. This would reduce fishing mortality of remaining trips that have not been taken. | The AP would support extending the window for any unused ET access area trips through May 31st, 2011 if Framework 22 is implemented late, and with the caveat that the catch must be counted against the 2010 ACL. By consensus, the Committee takes no action on extending the unused ET access area trips through May 31st, 2011. |
| 2.14.1 | | <i>No Action</i> - GB access area schedule remains in place. | | |
| 2.14.2 | Eliminate schedule of GB access areas in regulations | The Georges Bank rotation schedule will be removed and rotation will be based on survey information and model output via specification packages. | PDT noted that this is an administrative issue. Openings should be based on resource and other factors, not a default schedule that may not match current schedules and biological constraints. | By consensus, the AP supports the PDT position to eliminate the schedule of Georges Bank access areas in the regulations. Motion passed to eliminate the schedule of Georges Bank access areas in the regulations. |

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AP Meeting Motions - November 3, 2010 - Biltmore Hotel, Providence, RI

- FW22 Allocation scenarios

Motion 1. Gutowski/Hughes; The AP adopt Option 1 as the preferred alternative.

The AP made it clear that there is strong industry support for this as the preferred alternative. There are fears that the GSC closure alternative could hurt the people down South. The analysis of impacts suggests higher benefits under Option 1 than 2.

Vote: 8:0:0, motion carries.

Motion 2. Hughes/Welch; "Split trip" allocation should occur randomly (not regionally-based, i.e. a lottery). A public posting of who received trips should be available to the fleet to increase ease of trading.

The AP thinks a random lottery with no regionalized "weight" would be fine; people would trade accordingly. Voluntary trading is necessary the motion should include that the lottery could be done and submitted as a part of the framework. One said it should not take much time to specify which vessels get which trips and could be built right in instead of waiting until the implementation so vessels can plan their 2011 business plan.

The motion was perfected to read:

Motion 2. Hughes/Welch; "Split fleet" trip allocation should occur randomly (not regionally-based; i.e. a lottery should be used) and transparently. A public posting of who received trips should be available to the fleet to increase ease of trading, and this lottery should be included in the publication of Framework 22 as trip allocation by vessel.

Vote 7:0:0, motion.

- NGOM TAC

Motion 3. The AP recommends the NGOM TAC be left at status quo: 70,000 lbs.

Catch from NGOM federal waters catch cannot be distinguished from state catch. Any catch on federally-permitted vessels comes off the federal TAC, which threatens federal permit holders if NGOM TAC is reached due to state water catch. The PDT created a recommendation based on the federal waters only, but noted that something higher to account for state catch could be warranted. We do think the area is overfished, and this fishery is somewhat episodic (long periods of low catch with bursts of high catch) so there is a need to have a buffer in the form of a higher TAC. Some AP members are sympathetic to the needs of the state fishery in Maine and would be supportive of keeping the higher status quo TAC (over the PDT recommendation) in order to make it less likely that federally permitted vessels are impacted. However, the AP did not feel strongly about this especially since no members from Maine were present.

Vote: 5:0:3, motion carries.

- Research Priorities

Motion 4: Hughes/Enoksen; To identify the PDT RSA recommendations (red line document) as preferred and incorporate the following additional bullet points:

1. Assess abundance and biomass of scallops in the open areas (other resource areas) and determine NMFS survey dredge efficiency in those other resource areas.
2. Add as a priority research to support the assessment of the loggerhead turtle population in the Mid-Atlantic and put in either High or Medium priority (i.e. satellite tagging and investigation of seasonal movements, etc.).
3. Determine seasonal bycatch rates of yellowtail, and other key bycatch species (incorporate in bullet point number two of the PDT recommendations as a High priority).
4. Establish a scallop habitat research area in order to allow research strategies to enhance scallop production using rotational strategies.
5. Develop methodologies for the scallop fleet to collect and analyze catch data on a near real-time basis (i.e. meat weight, bycatch, etc. "Study fleet" concept).
6. Continue scallop dredge environmental impact studies.

Vote 7:0:0, motion carries.

- Discussion of RPM

Motion 5. Gutowski/Welch; The AP would support a RPM of one access area trip maximum in the Mid-Atlantic (Measure C for 2011 and F for 2012) with no seasonal closures. In addition, a caveat should be included that if someone traded in two additional Mid-Atlantic access area trips (to have four total), he would be limited to taking two during the turtle window instead of one.

The AP was not supportive of measures changing from year to year due to the difficulty this causes in planning out the fishing year. A caveat was added to reduce impacts on vessels from the South that will likely trade in additional Mid-Atlantic access area trips with no additional impact on turtles.

Vote 6:0:0, motion carries.

- Measures regarding VMS

The measure seeks to create a way to turn the VMS off if it does not intend to land scallops. The PDT recommends this also be moved to considered but rejected. Enforcement still has concerns with this and they will be presented to the Committee tomorrow, and there is not time for development of this alternative right now if it is not a huge problem. The AP does not wish to compromise enforcement and feels the current VMS regulations are working.

By consensus, the AP will take No Action on the VMS issue left in the document.

- Revise the bushel possession limit seaward of the demarcation line

The PDT recommends status quo or slightly above that value (100 bushels). The AP has no strong recommendation on this for the Committee except that they do not want to promote any sort of “shell stocking.”

By consensus, the AP will take No action on the bushel possession limit seaward of the demarcation line.

- Extension of unused ET access area trips through May 30, 2011

Motion 6. Hughes/Larsen; The AP would support extending the window for any unused ET access area trips through May 31st, 2011 if Framework 22 is implemented late, and with the caveat that the catch must be counted against the 2010 ACL.

There has been discussion about current No Action measures for 2011 that will be in place until FW22 implementation. Under No Action, March 1 will come and you will get two ET trips. If this alternative is adopted, a vessel could use one of those trips before May 31st with no penalty (DAS reduced). However, the AP is concerned that if several million pounds of ETA landings from unused 2010 trips are counted toward 2011 catch, the risk of exceeding the LA sub-ACL is increased. The AP also discussed whether this extension should include LAGC trips, and it was decided that because that fishery is quota-based it is not warranted.

Vote 6:0:2, motion carries.

- Eliminate Georges Bank schedule of access areas in regulations

By consensus, the AP supports the PDT position to eliminate the schedule of Georges Bank access areas in the regulations.

- Other business

Motion 7. Welch/Hughes; The AP recommends that a future action use data to limit or redirect open area effort on concentrations of small scallops instead of a closure. Data should include VMS effort showing recent distribution compared to model projections of effort.

The AP is not in favor of closing the South Channel and viewed this as a better way to optimize yield and reduce effort on small scallops in open areas. The AP envisions that vessels would always have an option to fish in an area or acquire more DAS via trading and never be completely closed out of the area. This may even be better than access areas in that it does not follow the “use it or lose it” approach.

Vote 5:2:0, motion carries.

DRAFT Committee Meeting Motions - November 4, 2010 - Biltmore Hotel, Providence, RI

- FW22 Allocation scenarios

Motion 1. Cunningham/Preble; Under Section 2.4 of the Framework 22 document, the Committee endorses as preferred Motion 1 and Motion 2 from the Advisory Panel, with clarification to include 2013 default allocations shown below.

| | CA1 | CA2 | NL | HC | DMV | ET | Total | Channel | OA DAS |
|------|-----|-----|----|-----|-----|----|-------|---------|--------|
| 2013 | - | 1 | 1 | 1.5 | 0.5 | - | 4 | open | 35 |

AP Motion 1. Gutowski/Hughes; The AP adopt Option 1 as the preferred alternative.

AP Motion 2. Hughes/Welch; "Split fleet" trip allocation should occur randomly (not regionally-based; i.e. a lottery should be used) and transparently. A public posting of who received trips should be available to the fleet to increase ease of trading, and this lottery should be included in the publication of Framework 22 as trip allocation by vessel.

Motion to amend: to specify that the DAS for 2013 be 75% of what is projected (75% of 35 DAS).

Motion 1a. Cunningham/Preble; Under Section 2.4 of the Framework 22 document, the Committee endorses as preferred Motion 1 and Motion 2 from the Advisory Panel, with clarification to include 2013 default allocations shown below.

| | CA1 | CA2 | NL | HC | DMV | ET | Total | Channel | OA DAS |
|------|-----|-----|-----|-----|-----|----|-------|---------|--------|
| 2011 | 1.5 | 0.5 | - | 1 | 1 | - | 4 | open | 32 |
| 2012 | 0.5 | 1 | 0.5 | 1.5 | 0.5 | - | 4 | open | 34 |
| 2013 | - | 1 | 1 | 1.5 | 0.5 | - | 4 | open | 26 |

AP Motion 1. Gutowski/Hughes; The AP adopt Option 1 as the preferred alternative.

AP Motion 2. Hughes/Welch; "Split fleet" trip allocation should occur randomly (not regionally-based; i.e. a lottery should be used) and transparently. A public posting of who received trips should be available to the fleet to increase ease of trading, and this lottery should be included in the publication of Framework 22 as trip allocation by vessel.

Rationale: The Committee supports PDT and AP that Option 1 performs the best in terms of impacts on the environment. If the lottery can be administered fairly, allocating more effort in access areas that should have effort is more ideal. Committee recommends the default measures for Year 3 be more precautionary because estimates are more uncertain and it is easier to allocate additional DAS than less DAS in the middle of the FY of a subsequent action.

Vote on the motion to amend: 6:2:0, motion to amend carries.

Vote on motion as amended: 8:0:0, motion carries.

- NGOM TAC

Motion 2. Tooley/Fair; The Council accept the AP motion to recommend the NGOM TAC be left at status quo: 70,000 lbs.

Rationale: Committee sees this allocation as a temporary fix until the larger issues with the NGOM management area can be addressed; specifically that catch in state waters by federal vessels is counted against the federal TAC, and once the NGOM TAC is reached a vessel with a federal scallop permit cannot fish in state waters. While the lower TAC is based on a survey and does not seem it will be limiting now since the fleet is landing less than 20,000 pounds a year, the State of Maine has adopted measures in recent years that are expected to increase yield from state waters, so catch by federally permitted vessels is expected to be higher in future years, due to increased catch from state waters.

Vote: 7:0:1, motion carries.

Motion 7. Fair/Tooley; That the Committee recommend to the Council that the separation of state waters and federal waters management in the Northern Gulf of Maine be considered as a priority for a future scallop management action.

Rationale: This motion is not related to FW22, but a suggestion by the Committee that the Council consider revising the NGOM regulations in a future scallop action. While this is a relatively small amount of catch compared to the entire scallop fishery, it is an important source of income for fishing communities along the coast in northern New England.

Vote: 7:0:1, motion carries.

- Incidental target TAC

Motion 3. Cunningham/Robins; the Committee recommends keeping the status quo value for incidental catch of 50,000 pounds.

Rationale: The Committee agrees with the PDT that this value should remain the same for now.

Vote: 8:0:0, motion carries.

- Research Priorities

Motion 4. Preble/Cunningham; Recommend approval of PDT recommendations for research priorities for the 2012 and 2013 RSA program.

Rationale: The Committee agrees with the small adjustments recommended by the PDT, but also wanted to consider some of the ideas for the AP – see motion below.

Vote: 8:0:0, motion carries.

Motion 5. Cunningham/Robins; to accept the AP RSA research priority recommendations as listed below in addition to the PDT recommendations, with number two as high priority, number three as high priority, number one as medium priority, and 4-6 as other priority.

1. Assess abundance and biomass of scallops in the open areas (other resource areas) and determine NMFS survey dredge efficiency in those other resource areas (combine with existing bullet under Medium priority).
2. Add as a priority research to support the assessment of the loggerhead turtle population in the Mid-Atlantic and put in either High or Medium priority (i.e. satellite tagging and investigation of seasonal movements, etc.).
3. Determine seasonal bycatch rates of yellowtail, and other key bycatch species (incorporate in bullet point number two of the PDT recommendations as a High priority).
4. If a habitat research area is identified in a future action, allow RSA funds to be used for projects to enhance scallop production using rotational strategies.
5. Develop methodologies for the scallop fleet to collect and analyze catch data on a near real-time basis (i.e. meat weight, bycatch, etc. "Study fleet" concept).
6. Continue scallop dredge environmental impact studies.

Rationale: The Committee agrees with the ideas the AP wants to add. They agree turtle research is important, but there are concerns that research is expensive and could be allocated too much of the overall RSA if it out competes other projects with high or medium priority.

Vote: 8:0:0, motion carries.

- Measures regarding VMS

Motion 6. Cunningham/Robins; Move alternative 2.11.1 to considered but rejected.

Rationale: The Committee agrees with input from PDT, AP and Enforcement Committee that VMS is needed in this fishery to ensure compliance with area closures etc., and this issue is not critical enough to warrant time needed to develop specifics of how to deem a vessel is "incapable of landings scallops".

Vote: 8:0:0

- Turtle RPM

Motion 8. Robins/Cunningham; The Committee would support a RPM of one access area trip maximum in the Mid-Atlantic (Measure C for 2011 and F for 2012) with no seasonal closures. In addition, a caveat should be included that if someone traded in two additional Mid-Atlantic access area trips (to have four total), he would be limited to taking two during the turtle window instead of one.

Rationale: The Committee agrees with the AP that this option would provide benefit for turtles and should not have more than a minor impact on the fishery based on the analyses provided. The Committee preferred this approach because there is more certainty in what the impacts of the measures will be; you know the absolute max of effort that can occur within the entire turtle season.

Vote: 6:1:1, motion carries.

- Revise the bushel possession limit seaward of the demarcation line

Motion 9. Cunningham/Preble; that the Council take No action on the bushel possession limit seaward of the demarcation line.

Rationale: The analyses completed by the PDT supports that the current in-shell possession limit may be excessive and has the potential to increase incentive to shell stock and change fishing behavior. A lower limit would be justified; however, since the possession limit is ready to increase to 600 pounds, the PDT, AP and Committee all agree that 100 bu provides sufficient flexibility to account for variations in meat weight.

Vote 8:0:0, motion carries.

- Extension of unused ET access area trips through May 30, 2011

By consensus, the Committee takes no action on extending the unused ET access area trips through May 31st, 2011.

Rationale: The AP and Committee discussed that while this would be a good measure to reduce fishing mortality the catch will likely be counted against the 2011 sub-ACL for the limited access fishery and not the 2010 sub-ACL. If that is the case, there are about 5 million pounds left to be harvested in that area, and if several thousand pounds are associated with unused trips that catch would move to 2011 and increase the risk of exceeding the 2011 LA sub-ACL.

- Eliminate Georges Bank schedule of access areas in regulations

Motion 10. To eliminate the schedule of Georges Bank access areas in the regulations.

Rationale: The Committee agrees that the including a default third year should eliminate the need to have a set schedule for GB access areas in case actions are delayed.

Vote: 8:0:0, motion carries.

