

## Supplement to C4 Scallop Amendment Initial/Final Analysis

Below are the 10 National Standards as contained in the MSA and a brief discussion of how each alternative is consistent with the National Standards, where applicable. In recommending a preferred alternative, the Council must consider how to balance the national standards.

**National Standard 1** — Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.

This action is administrative in nature and would not directly affect conservation and management measures presently in place to ensure achieving optimum yield on a continuing basis. This action could potentially allow increased flexibility to produce the stock assessment fishery evaluation (SAFE) report and specification setting process to potentially allow for these to occur on a less-than-annual basis. Allowing multi-year specifications and production of a SAFE report would not jeopardize compliance with the conservation and management measures, given the stability of the stock in recent years and the FMP-defined OFL and subsequent ABC as a result of data deficiencies for the stock. Should there be a situation in which ABC (and therefore ACL) is exceeded, the FMP (section 3.2) currently has in place accountability measures (AMs), that are enforced by the state of Alaska whereby: if an ACL is exceeded, the overage will be accounted for through a downward adjustment to the GHL for the following fishing season by an amount sufficient to remedy the biological consequences of the overage.

Increased flexibility would allow more efficiency in review timing and alleviate the workload for the staff involved. The SSC and Council would maintain the authority to set specification timing on a schedule that is in the best interest of stock needs and conservation of the stock. It is consistent with National Standard 1 to establish OFL on a multi-year basis based on stability of the stock status and the determination of harvest specification that are not likely to fluctuate significantly from year to year that would result in exceeding OFL.

**National Standard 2** — Conservation and management measures shall be based upon the best scientific information available.

The action alternative (alternative 2) would not directly affect conservation and management measures presently in place. The Council maintains the authority to produce SAFEs and set harvest specifications on a timeline that is in the best interest of the conservation of the stock based on the best scientific information available. The proposed alternative 2 would allow less prescriptive language in the FMP, removing the requirement to produce an annual SAFE and perform an annual specification-setting process, if warranted. The production of the SAFE and the specification setting process would continue to be based on the best scientific information available, and the Scallop plan team (SPT) would continue to meet on a regular basis to discuss ongoing research and fishery operations.

**National Standard 3** — To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.

The FMP for Scallops off Alaska defines 9 scallop species within Alaskan waters, but only weathervane scallops are currently exploited. The weathervane scallop fishery in Alaska's Exclusive Economic Zone (EEZ; from 3 to 200 miles offshore) is jointly managed under Federal and State of Alaska authority under the FMP as one stock. Most aspects of scallop fishery management are delegated to the State, while Federal requirements are maintained within the FMP. The Council will continue to review the SAFE and set the harvest specifications for the stock throughout its range as defined in the FMP. The management of the fishery and total allowable catch (TAC) setting process is delegated to the state. This process will remain unchanged under the proposed alternatives.

**National Standard 4** — Conservation and management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be; (A) fair and equitable to all such fishermen, (B) reasonably calculated to promote conservation, and (C) carried out in such a manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.

The potential action is an amendment to the timing of the SAFE report and specification-setting process. Nothing in the alternatives considers residency as a criterion for the Council's decision. Residents of various states that may participate in the Scallop fishery now, or in the future, are not affected by the proposed action.

**National Standard 5** — Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources, except that no such measure shall have economic allocation as its sole purpose.

This action does not affect the utilization of the fishery resources or involve allocations of any fishery resources. The action alternative proposes allowing flexibility associated with the SAFE production and specification setting process. This action is unrelated to economic allocation.

**National Standard 6** — Conservation and management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches.

None of the alternatives would be expected to affect changes in the availability of fishery resources in the Alaska EEZ each year. Any such changes in the variability of resources would be reviewed in the preparation of the SAFE and the harvest specification process and addressed during the State of Alaska's harvest strategy in the TAC setting process.

**National Standard 7** — Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.

The objective of this action is to allow flexibility in the SAFE production and specification-setting process. No additional costs would be incurred under any of the proposed alternatives. This action may reduce resources and time required for the preparation of an annual SAFE and the annual specification process.

**National Standard 8** — Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities by utilizing economic and social data that meet the requirements of National Standard 2, in order to (A) provide for the sustained participation of such communities, and (B) to the extent practicable, minimize adverse economic impacts on such communities.

This action would allow more flexibility in the Council process of SAFE production and harvest specification timing. It would not alter conservation and management measures already in place and would not preclude the Council from taking into account the importance of fishery resources, the impact on fishing communities, and the economic impacts on communities when reviewing the SAFE report or in the specification setting process.

**National Standard 9** — Conservation and management measures shall, to the extent practicable, (A) minimize bycatch, and (B) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.

The proposed action does not directly address regulations governing bycatch management. The management of bycatch and/or prohibited species catch is conducted via the annual TAC specifications process and bycatch management measures in effect.

**National Standard 10** — Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea.

The proposed action would not change safety requirements for fishing vessels and would not impact safety of human life at sea.