

## **DRAFT FOR INITIAL/FINAL REVIEW**

### **Analysis for the Proposed Amendment to allow flexibility in the specification process in the Fishery Management Plan for the Scallop Fishery off Alaska**

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**Abstract:** This paper analyzes the proposed management measures that would amend the Fishery Management Plan (FMP) for the Scallop fishery off Alaska. The purpose of this action is to amend the Scallop FMP to provide flexibility for non-annual assessments. The amendments under consideration would revise timing descriptions for Stock Assessment Fishery Evaluation (SAFE) reports and the harvest specification setting process.

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<sup>2</sup> The proposed FMP amendment text is included in Section 7.

<sup>3</sup> The proposed action is a non-substantive change that would amend the FMPs to be consistent with current regulations and operations in the fisheries. Therefore, the proposed change has no effect, individually or cumulatively on the human environment (as defined in NAO 216-6). As such, it is preliminarily categorically excluded from the need to prepare an Environmental Assessment (EA).

## List of Acronyms and Abbreviations

Acronym or Abbreviation	Meaning	Acronym or Abbreviation	Meaning
ABC	acceptable biological catch		
ADF&G	Alaska Department of Fish and Game		
AFA	American Fisheries Act		
AFSC	Alaska Fisheries Science Center		
AKFIN	Alaska Fisheries Information Network		
BSAI	Bering Sea and Aleutian Islands		
CE	Categorical exclusion		
CPUE	Catch per unit effort		
Council	North Pacific Fishery Management Council		
EEZ	Exclusive Economic Zone		
FMP	fishery management plan		
FONSI	Finding of No Significant Impact		
FR	<i>Federal Register</i>		
FRFA	Final Regulatory Flexibility Analysis		
ft	foot or feet		
LOA	length overall		
m	meter or meters		
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act		
MSST	minimum stock size threshold		
NAO	NOAA Administrative Order		
NEPA	National Environmental Policy Act		
NMFS	National Marine Fishery Service		
NOAA	National Oceanic and Atmospheric Administration		
NPFMC	North Pacific Fishery Management Council		
OFL	Overfishing level		
OY	Optimum yield		
PPA	Preliminary preferred alternative		
RFA	Regulatory Flexibility Act		
RFFA	reasonably foreseeable future action		
RIR	Regulatory Impact Review		
SAFE	Stock Assessment and Fishery Evaluation		
SPT	Scallop Plan Team		
t	tonne, or metric ton		
TAC	total allowable catch		

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## Executive Summary

The analysis addresses the proposed amendment to the scallop FMP under consideration by the Council that would apply exclusively to the Scallop fishery off Alaska. The measures under consideration include amending the scallop FMP to allow for flexible assessment cycles. This action aims to allow the potential for the Council to produce a SAFE report and set scallop harvest specification less frequently than an annual basis.

### Purpose and Need

*“Scallops have had conservative GHLs for scallops and stable harvest specifications for some time. Given the lack of assessment modeling approaches, the Council supports a decrease in assessment frequency would reduce the burden on staff and review resources and provide more time for the development of new assessment methods. The FMP requires that a SAFE report be produced annually, and an FMP amendment would be required to accommodate an alternative assessment cycle. The Council initiates an analysis to amend the Scallop FMP to the extent that it allows greater flexibility in scheduling the SAFE report cycle and scallop harvest specification timing”.*

### Alternatives

Due to the relatively straightforward nature of this issue, staff drafted the following alternatives for this analysis: the Council may confirm or modify the below alternatives:

Alternative 1: No action; status quo

Alternative 2: Revise the Scallop FMP to remove the requirement for annual specifications

### Management Considerations

The proposed management measure would amend the Fishery Management Plan (FMP) for the Scallop fishery off Alaska. The purpose of this action to amend the Scallop FMP would allow flexibility for non-annual assessments. The amendments under consideration would revise timing descriptions for Stock Assessment Fishery Evaluation (SAFE) reports. As such, it is preliminarily categorically excluded from the need to prepare an Environmental Assessment (EA) based on categorical exclusion criterion A1: an action that is a technical correction or a change to a fishery management action or regulation, which does not result in a substantial change in any of the following: fishing location, timing, effort, authorized gear types, or harvest levels. It may be advantageous for the Council to consider the duration of the multi-year specification process to be defined in the stock assessment fishery evaluation. Other data-deficient stocks, such as Pribilof Island Golden King crab and Western Aleutian Island Red King crab set their harvest specifications on a triennial basis.

### Comparison of Alternatives for Decision-making

Alternative 1 would maintain the current scallop FMP and continue annual stock assessment fishery evaluation (SAFE) timing. Alternative 2 would allow the Council flexibility in modifying assessment cycle timing, with the potential to set multi-year specifications. Given the consistency in ABC and OFL over the last two decades, the use of a multi-year specification setting process may be advantageous in time and resources. Proposed FMP amendment text can be found in section 7.

# 1 Introduction

The proposed management measures that would apply exclusively to the Scallop Fishery off Alaska. The measures under consideration include measures to amend the Fishery Management Plan (FMP) for the Scallop fishery off Alaska. All changes to a Fishery Management Plan (FMP) require an FMP amendment that is approved by the North Pacific Fishery Management Council (NPFMC or Council). The FMP for the Scallop Fishery Off Alaska (FMP) governs scallop fisheries in the U.S. exclusive economic zone (EEZ) of the Bering Sea and Aleutian Islands (BSAI), and the Gulf of Alaska (GOA), and includes weathervane scallops (*Patinopecten caurinus*) and other scallop species (family Pectinidae) that are not currently exploited. Management actions for the Alaskan scallop fisheries must comply with applicable Federal laws and regulations.

The FMP establishes a State/Federal cooperative management regime that delegates scallop fisheries management to the State of Alaska (State) with Federal oversight. Management measures in the FMP fall into two categories: Category 1 measures are those delegated to the State for implementation, while Category 2 measures are limited access management measures and all Federal requirements, which are fixed in the FMP, implemented by Federal regulation, and require an FMP amendment to change. Category 1 and 2 measures are listed in Table 1-1. State regulations are subject to the provisions of the FMP, including its goals and objectives, the Magnuson-Stevens Fishery Conservation and Management Act (MSA), and other applicable Federal laws.

The proposed action under consideration would amend this FMP and Federal regulations at 50 CFR 680. Actions taken to amend FMPs or implement regulations governing these fisheries must meet the requirements of applicable Federal laws, regulations, and Executive Orders.

**Table 1-1 Management measures in FMP.**

<b>CATEGORY 1 (Delegated to the State)</b>	<b>CATEGORY 2 (Fixed in FMP, Implemented by Federal Regulation)</b>
Guideline Harvest Levels	License limitation program
Registration Areas, Districts, Subdistricts and Sections	Optimum Yield specification
Gear Limitations	Overfishing specification
Crew and Efficiency Limits	EFH/HAPC designation
Fishing Seasons	
Observer Requirements	
Prohibited Species and Bycatch Limits	
Recordkeeping and Reporting Requirements	
In-season Adjustments	
Closed Areas	
Other	

## 1.1. Purpose and Need

The purpose of this action is to amend the Scallop fishery management plan to provide flexibility for non-annual assessments. The amendment under consideration would revise timing descriptions for Stock Assessment Fishery Evaluation (SAFE) reports to allow more flexibility for non-annual assessments, and set scallop harvest specification less frequently than an annual basis..

Staff drafted a strawman purpose and need statement for this action. The Council should consider whether to adopt or modify the purpose and need statement below:

*“Scallops have had conservative GHs for scallops and stable harvest specifications for some time. Given the lack of assessment modelling approaches, the Council supports a decrease in assessment frequency would reduce burden on staff and review resources and provide more time for development of new assessment methods. The FMP requires that a SAFE report be produced annually, and an FMP amendment would be required to accommodate an alternative assessment cycle. The Council supports an amendment to the extent that it allows greater flexibility in scheduling the SAFE report cycle and scallop harvest specification timing”.*

## 1.2. History of this Action at the Council

The 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. Most aspects of scallop fishery management are delegated to the State, while Federal requirements are maintained within the FMP. The initial FMP was developed by the Council under the Magnuson Stevens Act (MSA) and approved by NMFS in 1995. The Council has adopted several amendments to the FMP with the latest (Amendment 13) being approved in 2012 to re-define the optimum yield (OY) to 0 to 1.29 million lb (585 t) of shucked meats to include estimated discards over the reference time frame.

As defined in the scallop FMP, the stock assessment fishery evaluation (SAFE) report occurs on an annual basis. The scallop SAFE does not currently, use a stock assessment model for weathervane scallops in Alaska, although efforts to develop an age-based assessment are ongoing. In the absence of a stock assessment for scallops off Alaska, OFL and ABC have been set historically and recently based on the above definition of OY such that  $\max \text{OFL} = \text{OY}$ . The maximum ABC control rule is defined as  $\max \text{ABC} = 90\%$  of OFL.

Consistent with assessments since 2011/12, the 2022/23 OFL is set equal to the Optimum Yield (OY) (1.284 million lb.; 582 t), and the 2022/23 ABC be set equal to the maximum ABC control rule value (90% of OFL or 1.156 million lb.; 524 t).

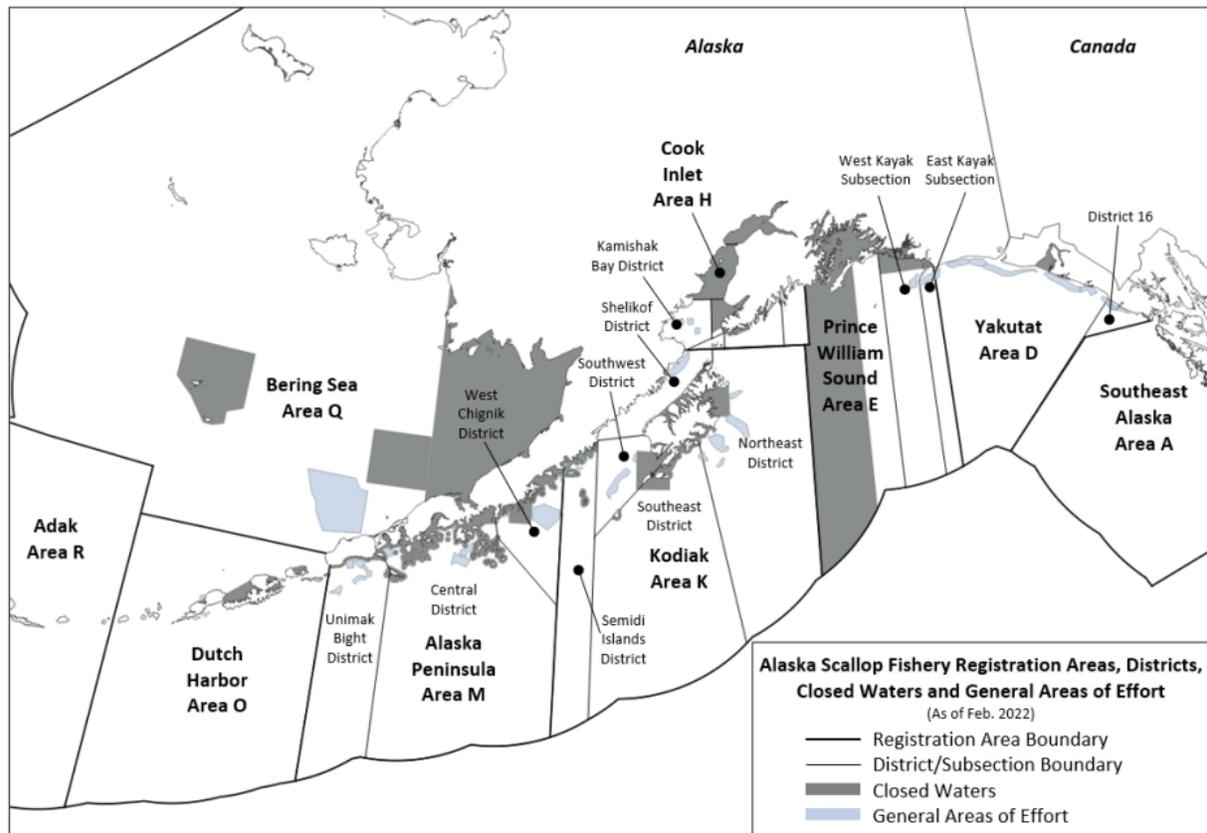
Given that the ABC and OFL have remained unchanged since 2011/2012, the Council initiated an analysis in [April 2022](#) to provide more flexibility in the assessment timing based on stock status, and information modified within the SAFE report annually, as modeled in the BSAI King and Tanner Crab fisheries. Additionally, the SSC reiterated its’ support for more flexibility in assessment cycle timing noting that the conservative GHs and stable harvest specifications over time, a reduction in assessment frequency would reduce burden on staff, reviewing bodies, and thereby provide more time for development of new assessment models to better inform the fisheries ([SSC April 2022 report](#)).

## 1.3. Description of Management Area

The scallop FMP established nine scallop registration areas in Alaska for vessels commercially fishing scallops (Figure 1.1). Scallop abundance is estimated for portions of three of the nine registration areas only. These include the Southeastern Alaska Registration Area (Area A); Yakutat Registration Area (Area D); Prince William Sound Registration Area (Area E), which is subdivided into the East and West Kayak

Island Subsections; Cook Inlet Registration Area (Area H), which is subdivided into the Northern, Central, Southern, Kamishak Bay, Barren Islands, Outer and Eastern Districts; Kodiak Registration Area (Area K), which is subdivided into the Northeast, Shelikof, Southeast, Southwest and Semidi Islands Districts; Alaska Peninsula Registration Area (Area M), which is subdivided into the West Chignik, Central and Unimak Bight Districts; Dutch Harbor Registration Area (Area O); Bering Sea Registration Area (Area Q); and Adak Registration Area (Area R).

Scallop seasons have never been opened in Area A, and effort occurred in Area R during 1995 only. The regulatory fishing season for weathervane scallops in Alaska is July 1 through February 15 except in the Cook Inlet Registration Area (5 AAC 38.167 & 5 AAC 38.420). In the Kamishak District of Cook Inlet, the season is August 15 through October 31 (5 AAC 38.220 & 5 AAC 38.320).



**Figure 1-1 Location of Alaska scallop fishery registration areas. General areas of effort are overlaid by blue polygons. Exploratory fisheries in waters normally closed to scallop fishing (gray shading) have been opened by the ADF&G Commissioner’s Permit in the Alaska Peninsula Unimak Bight District during past seasons**

#### 1.4. Documents Incorporated by Reference in this Analysis

This analysis relies heavily on the information and evaluation contained in previous analyses and SAFE documents. The documents listed below contain information about the fishery management areas, fisheries, marine resources, ecosystem, social, and economic elements of the scallop fishery.

## **Stock Assessment and Fishery Evaluation (SAFE) for the Scallop Fishery off Alaska ([NPFMC 2022](#)).**

Annual SAFE reports review recent research and provide estimates of the biomass of each species and other biological parameters. The SAFE report includes the acceptable biological catch (ABC) specifications used by NMFS in the annual harvest specifications. The SAFE report also summarizes available information on the ecosystems and the economic condition of the scallop fishery off Alaska.

## **Scallop Fishery off Alaska Fishery Management Plan ([Scallop FMP- NPFMC](#))**

The Fishery Management Plan (FMP) governs scallop fisheries in federal waters off the State of Alaska. The FMP management unit is the U.S. exclusive economic zone (EEZ) of the Bering Sea, Aleutian Islands, and the Gulf of Alaska, and includes weathervane scallops and other scallop species not currently exploited.

## **2 Description of Alternatives**

The proposed action is a non-substantive change that would amend the FMPs to be consistent with current regulations and operations in the fisheries. Therefore, the proposed change has no effect, individually or cumulatively on the human environment (as defined in NAO 216-6). As such, it is preliminarily categorically excluded from the need to prepare an Environmental Assessment (EA) based on categorical exclusion criterion A1: an action that is a technical correction or a change to a fishery management action or regulation, which does not result in a substantial change in any of the following: fishing location, timing, effort, authorized gear types, or harvest levels.

The draft alternatives in this chapter were designed to accomplish the drafted purpose and need for the action. All of the alternatives were drafted to address the Council to initiate an analysis to amend the Scallop FMP to provide flexibility for non-annual assessments.

The Council initiated an analysis to amend the Scallop FMP in [April 2022](#).

Due to the nature of this issue, staff drafted strawman alternatives for this analysis, the Council may confirm or modify the below alternatives:

Alternative 1: No action; status quo

Alternative 2: Revise the Scallop FMP to remove the requirement for annual specifications

### **2.1. Alternative 1, No Action**

The no action alternative would allow the Scallop FMP text to remain unchanged, and Stock Assessment Fishery Evaluations (SAFEs) would occur on an annual basis.

### **2.2. Alternative 2, Amend the Scallop FMP**

Alternative 2 would revise FMP text to remove prescriptive language dictating that SAFEs must occur on an annual basis. This would allow more flexibility for non-annual assessments and the scallop harvest specification process

The Scallop Fishery off Alaska FMP currently states (Section 2.2.2):

“An annual Stock Assessment Fishery Evaluation (SAFE) report discussing current biological and economic status of the fisheries, guideline harvest ranges, and support for different management decisions or changes in harvest strategies will be prepared by the State (ADF&G lead agency), with NMFS and scallop plan team input when appropriate.”

### 2.3. Comparison of Alternatives

Alternative 1 would maintain the current scallop FMP, and continue annual SAFE timing. Alternative 2 would allow the Council to be flexible in modifying stock assessment fishery evaluation cycle timing, with the potential to set multi-year harvest specifications.

## 3 Scallop Fishery off Alaska

The scallop fishery in Alaska is jointly managed under Federal and State of Alaska authority under the FMP. Most aspects of scallop fishery management are delegated to the State, while Federal requirements are maintained within the FMP. Although the FMP covers all scallop stocks off the coast of Alaska, including weathervane scallop (*Patinopecten caurinus*), reddish scallop (*Chlamys rubida*), spiny scallop (*Chlamys hastata*), and rock scallop (*Crassadoma gigantea*), the weathervane scallop is the only commercially targeted stock at this time. Commercial fishing for weathervane scallops occurs in the Gulf of Alaska, Bering Sea, and waters off the Aleutian Islands.

As defined in the scallop FMP, the stock assessment fishery evaluation (SAFE) report occurs on an annual basis. The scallop SAFE does not currently, use a stock assessment model for weathervane scallops in Alaska to establish fishery specifications, although efforts to develop an age-based assessment are ongoing.

In the absence of a formal stock assessment, ADF&G sets guideline harvest levels (GHLs) using data gathered through the scallop fishery observer program as well as fishery-independent scallop dredge surveys. In addition to trends in nominal catch per unit effort (CPUE), standardized CPUE indices are estimated to account for variations by depth, month, vessel, bed, and season. Estimates of the spatial scale of fishing effort and catch are also used to interpret trends in CPUE.

Historically, the OFL and ABC have been set based definition of OY. Most recently, OFL and ABC are set based on the OY re-defined in 2012 (Amendment 13), when OY was re-defined as 0 to 1.29 million lb (585 t) of shucked meats to include estimated discards over the reference time frame. Annual specifications have been defined as: max OFL = OY, and ABC = 90% of OFL. Alaska scallop harvests have not exceeded OY in any year since it was first established (Table 3-1).

In the absence of stock-size estimates, the status of the scallop stock relative to overfished is unknown. Consistent with assessments since 2011/12, the 2022/23 OFL is set equal to the Optimum Yield (OY) (1.284 million lb.; 582 t) as defined in the Scallop FMP and the 2022/23 ABC be set equal to the maximum ABC control rule value (90% of OFL or 1.156 million lb.; 524 t) (Table 3-1).

**Table 3-1 Total Alaska weathervane scallop removals (landings + discards) and OY/MSY/OFL, 1993/94 – 2021/22 seasons.**

Season	Total Removals (lb meats)	OFL (lb meats)	ABC (lb meats)	%OY	%ACL
1993/94	984,583	1,800,000	1,620,000	54.7	60.8
1994/95	1,240,775	1,800,000	1,620,000	68.9	76.6
1995/96	410,743	1,800,000	1,620,000	22.8	25.4
1996/97	732,424	1,800,000	1,620,000	40.7	45.2
1997/98	818,913	1,800,000	1,620,000	45.5	50.6
1998/99	822,096	1,240,000	1,116,000	66.3	73.7
1999/00	837,971	1,240,000	1,116,000	67.6	75.1
2000/01	750,617	1,240,000	1,116,000	60.5	67.3
2001/02	572,838	1,240,000	1,116,000	46.2	51.3
2002/03	509,455	1,240,000	1,116,000	41.1	45.7
2003/04	492,000	1,240,000	1,116,000	39.7	44.1
2004/05	425,477	1,240,000	1,116,000	34.3	38.1
2005/06	525,357	1,240,000	1,116,000	42.4	47.1
2006/07	487,473	1,240,000	1,116,000	39.3	43.7
2007/08	458,313	1,240,000	1,116,000	37.0	41.1
2008/09	342,434	1,240,000	1,116,000	27.6	30.7
2009/10	512,958	1,240,000	1,116,000	41.4	46.0
2010/11	481,433	1,240,000	1,116,000	38.8	43.1
2011/12	461,924	1,284,000	1,156,000	36	40.0
2012/13	424,492	1,284,000	1,156,000	33.1	36.7
2013/14	408,088	1,284,000	1,156,000	31.8	35.3
2014/15	314,352	1,284,000	1,156,000	24.5	27.2
2015/16	261,939	1,284,000	1,156,000	20.4	22.7
2016/17	236,560	1,284,000	1,156,000	18.4	20.5
2017/18	250,632	1,284,000	1,156,000	19.5	21.7
2018/19	250,460	1,284,000	1,156,000	19.5	21.7
2019/20	246,900	1,284,000	1,156,000	19.2	21.4
2020/21	238,551	1,284,000	1,156,000	18.6	20.6
2021/22 <sup>a</sup>	298,755 <sup>a</sup>	1,284,000	1,156,000		

<sup>a</sup>Preliminary estimates, discards not included.

Source: 2022 Scallop SAFE

### 3.1. Effects of the alternatives

Alternative 1 would maintain the current scallop FMP, and continue annual stock assessment fishery evaluation (SAFE) timing. This cycle would require the scallop plan team (SPT) and SSC to review the SAFE and set fishery specifications on an annual basis.

Alternative 2 would allow the Council flexibility in modifying assessment cycle timing, with the potential to set multi-year specifications. Given the consistency in ABC and OFL over the last two decades (Table 3-1), the use of multi-year specification setting process would be advantageous in time and resources. If, in the future, a formal stock assessment model is developed, or there is a decrease in estimated stock abundance, the Council could request that the scallop SAFE be reviewed on an annual basis under the proposed alternative 2.

Under alternative 2, the SAFE review timing, could be set to a cycle that best fits the needs of the stock, modeled after what is done in the BSAI King and Tanner crab fisheries. Other data-deficient stocks, such as Pribilof Island Golden King crab and Western Aleutian Island Red King crab set their harvest

specifications on a triennial basis. The assessment cycle timing can be defined in the SAFE document, with guidance from the Council to allow flexibility to shift assessment timing if the status of the stock warrants a more frequent assessment.

## **4 Magnuson-Stevens Act and FMP Considerations**

### **4.1. Magnuson-Stevens Act National Standards**

Below are the 10 National Standards as contained in the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). In recommending a preferred alternative at final action, the Council must consider how to balance the national standards.

A brief discussion of this action with respect to each National Standard will be prepared for final action.

**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.

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

**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.

**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.

**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.

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

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

**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.

**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.

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

## 4.2. Section 303(a)(9) Fisheries Impact Statement

Section 303(a)(9) of the Magnuson-Stevens Act requires that a fishery impact statement be prepared for each FMP or FMP amendment. A fishery impact statement is required to assess, specify, and analyze the likely effects, if any, including the cumulative conservation, economic, and social impacts, of the conservation and management measures on, and possible mitigation measures for (a) participants in the fisheries and fishing communities affected by the plan amendment; (b) participants in the fisheries conducted in adjacent areas under the authority of another Council; and (c) the safety of human life at sea, including whether and to what extent such measures may affect the safety of participants in the fishery.

Given the nature of this analysis, the proposed change has no effect, individually or cumulatively on the human environment (as defined in NAO 216-6). As such, it is preliminarily categorically excluded from the need to prepare an Environmental Assessment (EA) based on categorical exclusion criterion A1: an action that is a technical correction or a change to a fishery management action or regulation. The action described in this analysis would not have an effect on fishery operations, communities, participants involved in the fishery, and or/ safety of human life at sea (as noted above (a)-(c)). Rather, a shift in assessment timing and the potential for a multi-year specification process would allow better allocation of staff resources to better gather more information on the status of the fishery, ultimately gaining more insight into the scallop fishery off the coast of Alaska.

## 4.3. Council's Ecosystem Vision Statement

In February 2014, the Council adopted, as Council policy, the following:

### **Ecosystem Approach for the North Pacific Fishery Management Council**

#### *Value Statement*

The Gulf of Alaska, Bering Sea, and Aleutian Islands are some of the most biologically productive and unique marine ecosystems in the world, supporting globally significant populations of marine mammals, seabirds, fish, and shellfish. This region produces over half the nation's seafood and supports robust fishing communities, recreational fisheries, and a subsistence way of life. The Arctic ecosystem is a dynamic environment that is experiencing an unprecedented rate of loss of sea ice and other effects of climate change, resulting in elevated levels of risk and uncertainty. The North Pacific Fishery Management Council has an important stewardship responsibility for these resources, their productivity, and their sustainability for future generations.

#### *Vision Statement*

The Council envisions sustainable fisheries that provide benefits for harvesters, processors, recreational and subsistence users, and fishing communities, which (1) are maintained by healthy, productive, biodiverse, resilient marine ecosystems that support a range of services; (2) support robust populations of marine species at all trophic levels, including marine mammals and seabirds; and (3) are managed using a precautionary, transparent, and inclusive process that allows for analyses of tradeoffs, accounts for changing conditions, and mitigates threats.

#### *Implementation Strategy*

The Council intends that fishery management explicitly take into account environmental variability and uncertainty, changes and trends in climate and oceanographic conditions, fluctuations in productivity for managed species and associated ecosystem components,

such as habitats and non-managed species, and relationships between marine species. Implementation will be responsive to changes in the ecosystem and our understanding of those dynamics, incorporate the best available science (including local and traditional knowledge), and engage scientists, managers, and the public.

The vision statement shall be given effect through all of the Council's work, including long-term planning initiatives, fishery management actions, and science planning to support ecosystem-based fishery management.

In considering this action, the Council is being consistent with its ecosystem approach policy. This action amends the FMP for the scallop fishery off of Alaska to provide flexibility in assessment timing. The proposed amendment does not result in a substantial change in any of the following: fishing location, timing, effort, authorized gear types, or harvest levels. This is supportive of the Council's intention to maintain the scallop stock, and promote sustainable fisheries.

## **5 Preparers and Persons Consulted**

### **Preparers**

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### **Contributors**

### **Persons and Agencies Consulted**

Diana Evans, NPFMC

Scott Miller, NMFS

Tyler Jackson, ADF&G

## 6 References

- NPFMC. 2012. Amendment 13 to the Fishery Management plan for the Scallop fishery off Alaska to implement an annual catch limit (ACL) and accountability measures (AMs) to prevent overfishing in the target fishery for weathervane scallops. NPFMC, Anchorage, AK.
- NPFMC. 2014. Fishery Management Plan for the Scallop fishery off Alaska. NPFMC, Anchorage, AK. Available at: <https://www.npfmc.org/wp-content/uploads/ScallopFMP.pdf>
- NPFMC. 2022. Stock Assessment and Fishery Evaluation for the Scallop Fishery off Alaska. Final. April 2022. NPFMC, Anchorage, AK. Available at: <https://meetings.npfmc.org/CommentReview/DownloadFile?p=7f77dc58-976e-4ff5-a33b-eab66f278026.pdf&fileName=C3%20Scallop%20SAFE%20Report%202022.pdf>

## 7 Proposed draft Amendment text for Scallop fishery off Alaska FMP

Additions are in bold, removals are ~~struck through~~.

1. Update Table of Contents as needed.
2. *(Section 2.2.2, #7 Research and Management Objective, page 13)*  
~~An annual~~ Stock Assessment Fishery Evaluation (SAFE) report discussing current biological and economic status of the fisheries, guideline harvest ranges, and support for different management decisions or changes in harvest strategies will be prepared by the State (ADF&G lead agency), with NMFS and scallop plan team input when appropriate.
3. *(Section 3.1.1.2, page 20) Revise the sentence as follows:*  
~~Annually,~~The Council's Scientific and Statistical Committee will set a statewide ABC for the weathervane scallop fishery prior to the beginning of the fishing season(s).
4. *(Section 4.4. page 34) Revise the sentence as follows:*  
Vessel participation and total catch by registration area and year are published in the ~~annually updated~~ Stock Assessment and Fishery Evaluation (SAFE) Report compiled by the Scallop Plan Team of the North Pacific Fishery Management Council.
5. Update chapter numbering for Ecosystem Component heading from 4.3.5 to 4.4.1 *(Page 34)*
6. *(Section 4.4.1 Page 34) Revise the sentence as follows:*  
Evaluation of EC species bycatch in the weathervane scallop fishery occurs ~~annually~~ through the existing Stock Assessment and Fishery Evaluation (SAFE) report process. process. The SAFE report ~~annually~~ summarizes best available scientific information on EC species.