

Final Framework 26 Meeting

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Scallop PDT Chair**

**Scallop AP and Cmte
November 13/14, 2014**



New England
Fishery Management Council

Outline of Agenda

1. Review Highlights from Analysis and PDT/AP/Committee Input related to Specifications

Take Action on Committee Motions related to specifications

2. Review Highlights from Analysis and PDT/AP/Committee Input related to Other Measures

Take Action on Committee Motions related to other measures

Framework 26 - Purpose and Need

- Primary objective: set specifications for FY2015 and 2016 (default)
- In addition, the Council added other issues to be addressed. In September that list was **prioritized**:
 1. Revise “flaring bar” provision for turtle deflector dredge
 2. Allow fishing in state waters after NGOM hard-TAC is reached
 3. Make turtle regulations consistent
 4. Develop PROACTIVE AMs for northern WP and YT stocks
 5. Allow a limited access vessel to declare out of fishery on return to port
 6. ~~Develop REACTIVE AMs for northern WP and revise AMs for YT~~

Section 2.2 - Specification Alternatives

- All GB access areas will be closed, 3 MA trips at 17,000 each
- Similar DAS to 2014 (30 or 31 DAS)
- Total catch about 45-47 million pounds (about 10 million lb. increase from 2014)

-Alternative 1 – No Action

Default from FW25 - 75% of projected DAS (26/27 DAS), no AA trips

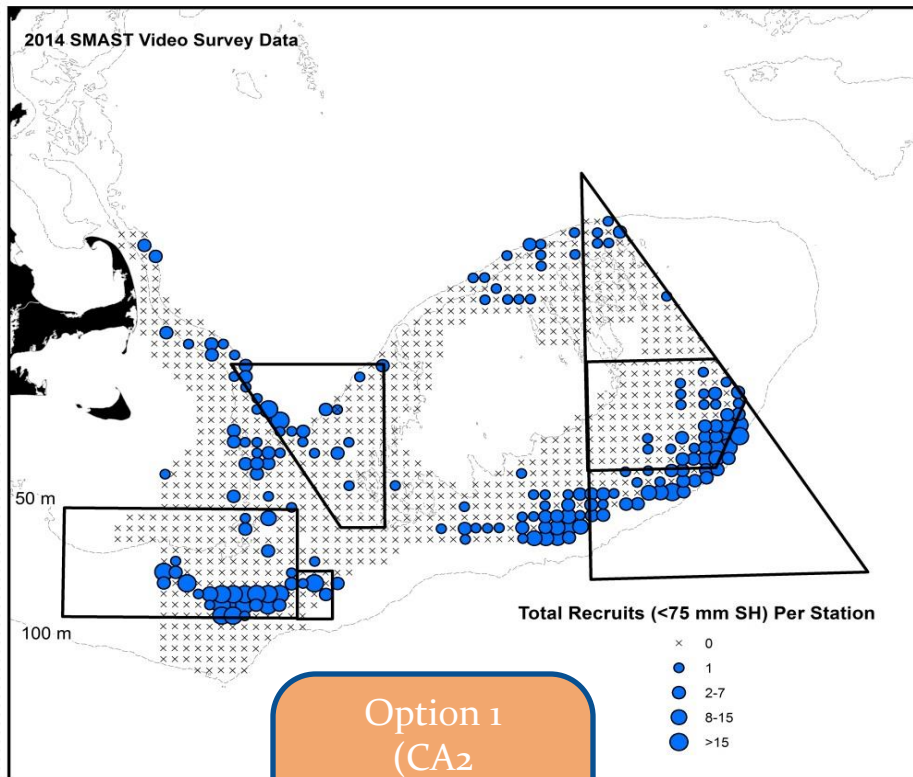
- Alternative 2 – Basic Run

No changes to AA boundaries

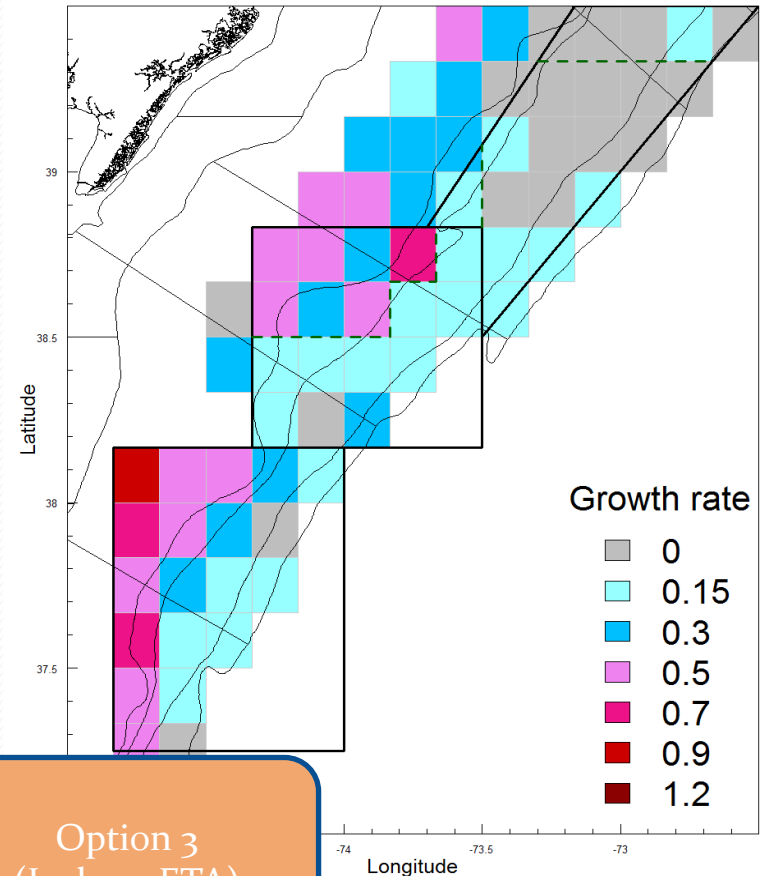
- Alternative 3 – Modify access areas to reduce impacts on small scallops (3 options: CA2, NL, and ETA)

- Alternative 4 – No modifications to AA and reduce F in MA AA to reduce impacts on small scallops

Alternative 3 – 3 Options



Option 1
(CA2
Extension)
Option 2
(NL extension)



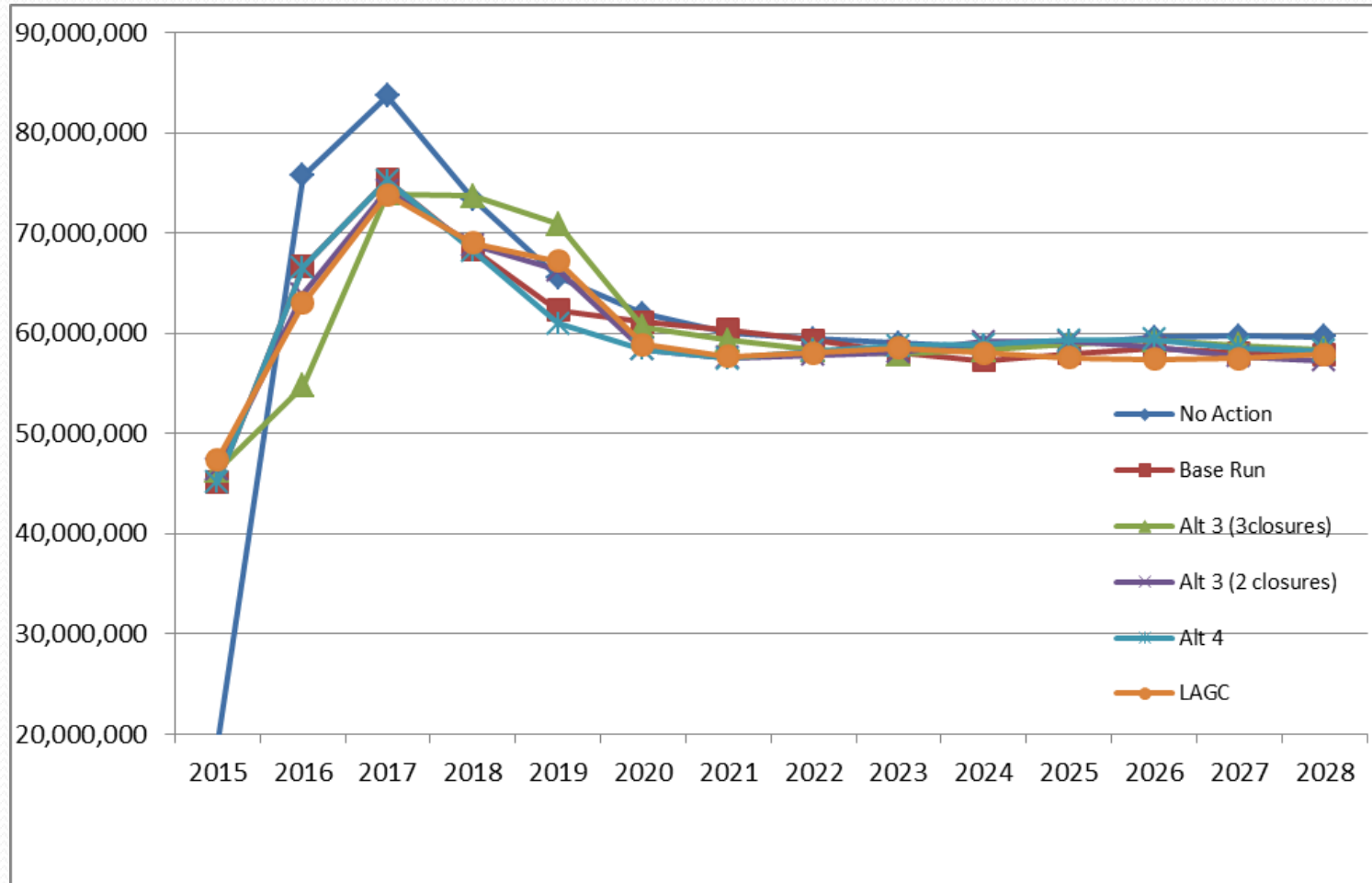
Option 3
(Inshore ETA)

Projection Results

- Document #3 - 7 separate runs – Table 1, page 3
- Overall the results similar in both short and long term
- 45-46 million pounds in 2015, diff of about 10 million pounds for 2015+2016, diff of about 5 million lbs. long term
- Summary of biological projections (Section 1.1.2.1)
- Projected shell height frequencies by area (Section 1.1.2.1.6)
- Economic analyses – page 34

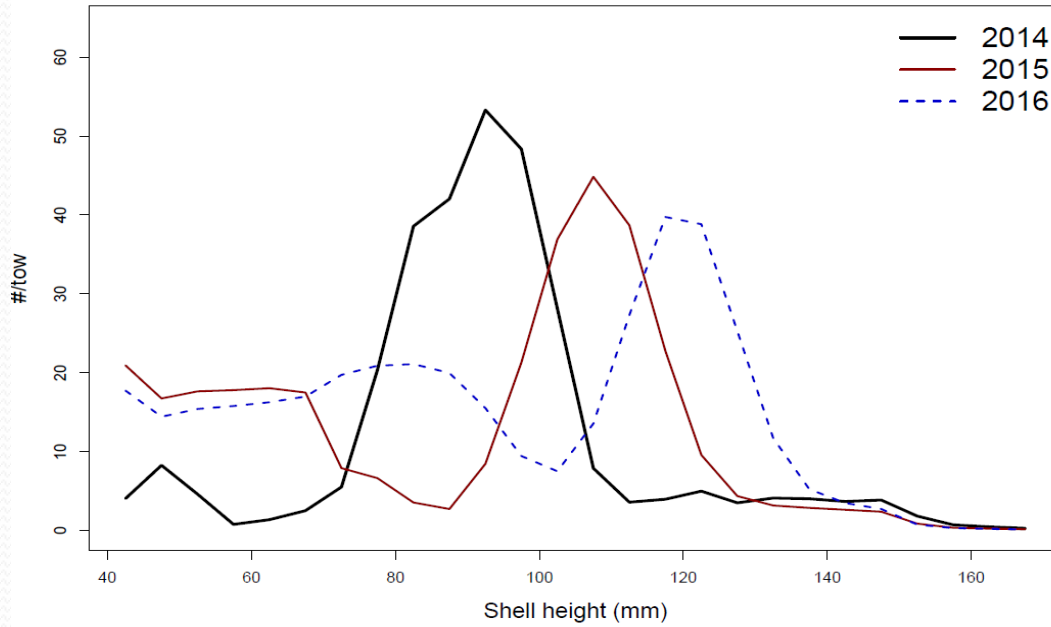
- Cmte Preferred Alternative not one of the 7 original runs
- Updated analyses presented in Document #3a – Section 1.1

Projected Landings

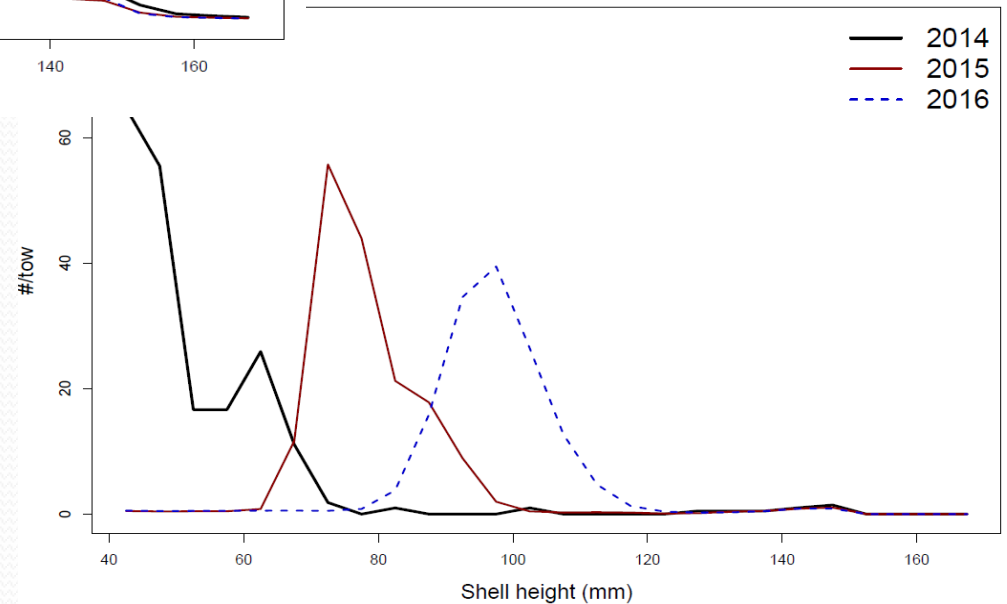


Projected SH Frequencies – CA2

CL-2 S

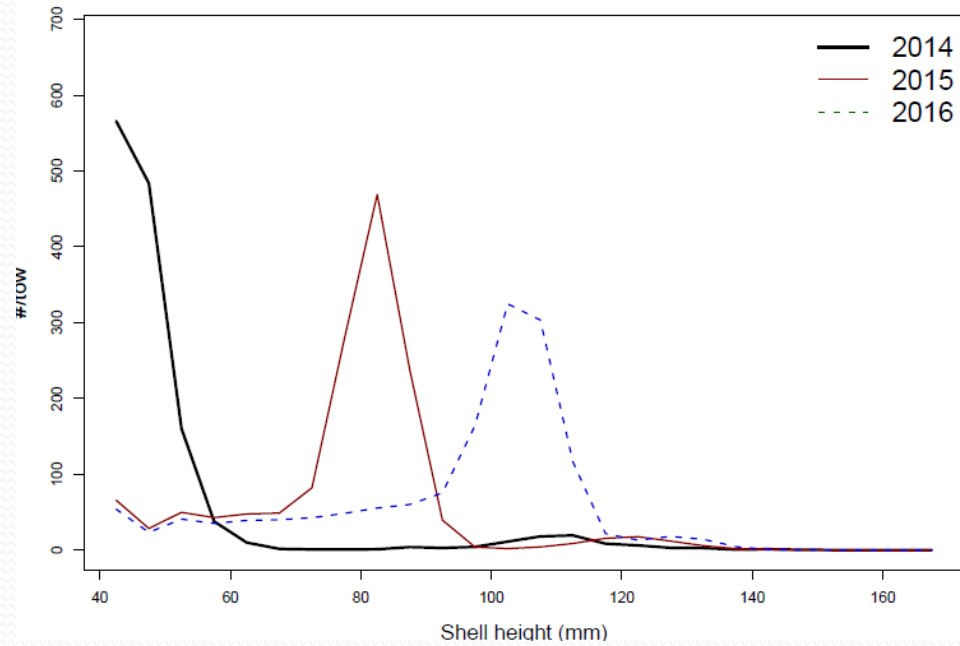


CL-2 Ext

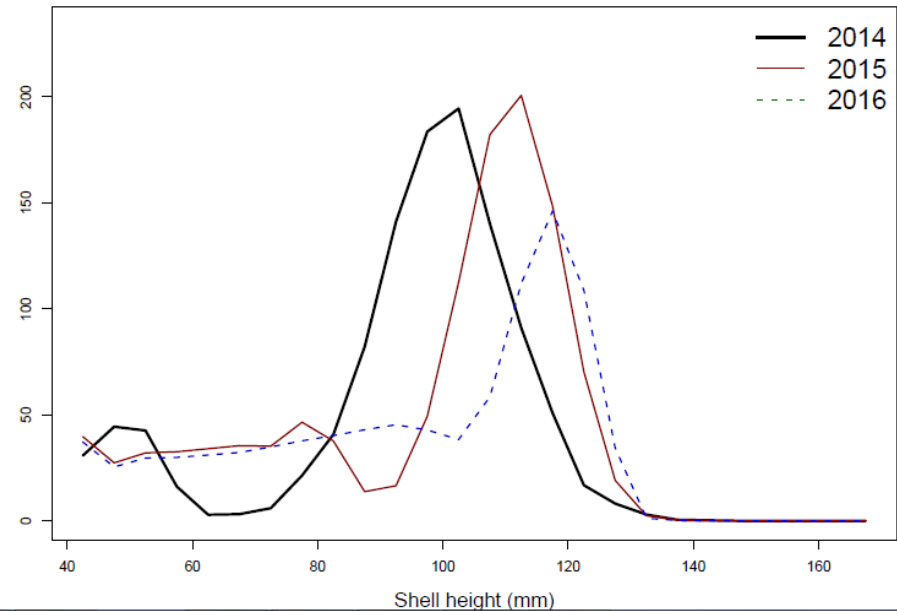


Projected SH Frequencies - ET

Elephant Trunk Closed



Elephant Trunk Open



Projected Landings

| Fishing year | 1. No Action | 2. Basic Run | 3. 3 new closures | 3. 2 closures | 4. Reduced F |
|-----------------|--------------|--------------|-------------------|---------------|--------------|
| 2015 | 19.3 | 45.2 | 46.3 | 46.4 | 45.2 |
| 2016 | 75.7 | 66.7 | 54.8 | 63.9 | 66.6 |
| 2015-2016 Total | 95.0 | 111.8 | 101.1 | 110.4 | 111.7 |
| 2017-2019 Total | 222.7 | 206.0 | 218.6 | 209.4 | 204.5 |
| 2020-2028 Total | 537.2 | 528.6 | 530.1 | 523.9 | 527.2 |
| Grand Total | 854.9 | 846.5 | 849.8 | 843.6 | 843.4 |

Projected ST Revenues and Economic Benefits (2015) (Table 5)

| Values | 1. No Action | 2. Basic Run | 3. 3 new closures | 3. 2 closures | 4. Reduced F |
|-----------------------------------|--------------|--------------|-------------------|---------------|--------------|
| FT LA Open area DAS | 17 | 31 | 30 | 30 | 31 |
| Total landings (Mill. lb.) | 19.3 | 45.2 | 46.3 | 46.4 | 45.2 |
| Total revenue (Mill. \$) | 263.0 | 557.8 | 567.1 | 570.3 | 557.6 |
| Producer Surplus (Mill. \$) | 245.3 | 516.0 | 524.7 | 527.4 | 515.9 |
| Total Economic Benefits (Mill.\$) | 248.5 | 542.0 | 551.7 | 554.8 | 541.8 |

Cmte Preferred Alternative

- Alternative 3 – with Option 2 and Option 3 Only
- Increases 2015 landings by 1.1 million pounds (1 DAS for fleet)
- Has increase of \$11 million total economic benefits in 2015 and \$26.6 million for 2015/2016 combined, but from 2017-2019 has \$70 million less revenue than 3 closure run and \$18 million less over entire time series

| | Present value of scallop revenue (\$ million) | | |
|-----------|---|----------------|-----------------|
| | 3 new closures | 2 new closures | Diff from 3 clo |
| 2015-2016 | 1191.0 | 1217.7 | 26.6 |
| 2017-2019 | 2196.8 | 2126.6 | -70.2 |
| 2020-2028 | 4736.0 | 4761.6 | 25.6 |
| 2015-2028 | 8123.9 | 8105.9 | -18.0 |

Summary of projection results

- Overall the results similar in ST and LT
- Closing NL extension has essentially no effect in ST
- Closing CA2 extension costs about 1 DAS in ST
- Closing both increases landings about 3mil in midterm
- Closing inshore ETA costs 9 mill in ST (2015+2016)
- But gain 10 million in mid term (net of +1 million compared to leaving area open) and net of +6 mill in the long term
- ALT3 with 3 closures result in either largest or second largest long-term revenues and benefits over the long-term depending on the weight given to the future benefits (3% or 7% discount rate).
- Alt 4 – same impacts as base run, 1 mil less in 2015, higher catch in 2016 when F levels increased, and lowest catch in mid years because it does not close ETA subarea

Cmte Motions related to Specifications (Document #6)

Motion 1: The Committee recommends Alternative 2 for OFL/ABC for FW26 (updated OFL/ABC values) (Supports AP Motion #3).

Motion 2: The Committee recommends Alternative 3 (Section 2.2.1.3) with Option 2 and 3 only as preferred for overall specifications for FW26. This would close NL extension (Option 2) and inshore ETA (option 3), not CA2 extension (Option 1) (Supports AP Motion #4).

Note PDT Preferred is Alternative 3 – all 3 closures

Cmte Motions related to Specifications

- 2016 Default for all alternatives = 75% of projected DAS

Motion 4: The Committee recommends the default measures be modified to include one access area trip in default measures for FY2016 (equivalent to 17,000 pounds for a full time vessel in the “megatron” Mid-Atlantic access area, assuming that is adopted). Area would be open to LAGC IFQ vessels as well, and the number of LAGC trips would be equivalent to the same proportion of catch allocated to those vessels in access areas in FW26. Access area should not open until April 1, 2016 for the fishery and RSA compensation fishing should not be allowed in the area until subsequent framework implemented (Supports AP Motion #5)

Note PDT does not recommend allocating access area effort as part of default 2016 allocations

Cmte Motions related to Specifications

Motion 3: The Committee recommends Option 4 in Section 2.2.2 for allocation of LAGC IFQ trips in access areas for FW26 (Allocate fleetwide trips to LAGC vessels in access areas equivalent to the overall proportion of total catch from access areas compared to total catch) be the preferred alternative (Supports AP Motion #6).

Motion 5: For Section 2.2.3 the Committee recommends adding a new alternative that would allow crew limits to increase by one in all access areas above open area limits (max would be 8 crew for FT LA vessels, 8 crew for both PT LA vessels and 6 crew for FT LA small dredge vessels). This should be the preferred alternative (support AP Motion #7). The Committee clarified that this change in crew limit in access areas should remain in place for all access areas unless changed in a future action.

Cmte Motions related to Specifications

Motion 6: The Committee recommends Alternative 2.3.2 for Section 2.3 as preferred. Allocation method for Mid-Atlantic access area trips in 2015 should be the flexible method (megatron) (Supports AP Motion #8)

Note PDT Supports “Megatron” only if Inshore ETA closed

Motion 7: The Committee recommends Alternative 2.4.2 – replace broken trip process with prelanding report and Alternative 2.4.2.2 (Option 2) carryover would be automatic. Both of these should be preferred in FW26 (Supports AP Motion #10).

Part II: Other Measures

As prioritized by Council in September

1. Revise “flaring bar” provision for turtle deflector dredge
2. Allow fishing in state waters after NGOM hard-TAC is reached
3. Make turtle regulations consistent
4. Develop PROACTIVE AMs for northern WP and YT stocks
5. Allow a limited access vessel to declare out of fishery on return to port
- ~~6. Develop REACTIVE AMs for northern WP and revise AMs for YT~~

Section 2.5 - Allow fishing in state waters after NGOM hard-TAC is reached

- 2.5.1 – No Action
Once the NGOM hard TAC is reached all vessels with federal scallop permit prohibited from fishing for scallops in NGOM
- 2.5.2 – All vessels with both a state scallop permit and federal NGOM permit allowed to fish in state waters after federal NGOM TAC reached
- 2.5.3 – Revise state water exemption program provisions to allow a state to request a specific exemption related to fishing in state waters after the NGOM TAC is reached

Motion 8: The Committee recommends as preferred Alternative 2.5.3, which would revise state waters exemption program provisions to allow a state to request specific exemption related to fishing for scallops in state waters after federal NGOM TAC reached (Supports AP Motion #11).

Section 2.5 - Allow fishing in state waters after NGOM hard-TAC is reached

- **Summary of Impacts**

- Neutral impacts on resource compared to No Action
- Impacts on EFH neutral to slightly negative
- For Mass – majority of state water catch by vessels with state permit only – only 10 vessels have both NGOM and state permit – so limited impacts
- *For Maine – state permits not linked to vessel, so if license holder on board any state vessel could fish for scallops in Maine. Activity increasing so increased risk of NGOM TAC being reached and leaving vessels with federal permit out of state fishery.*
- *Alternative 2.5.3 may have more flexibility overall for each state to decide which permits should be included (IFQ, Incidental, etc.)*

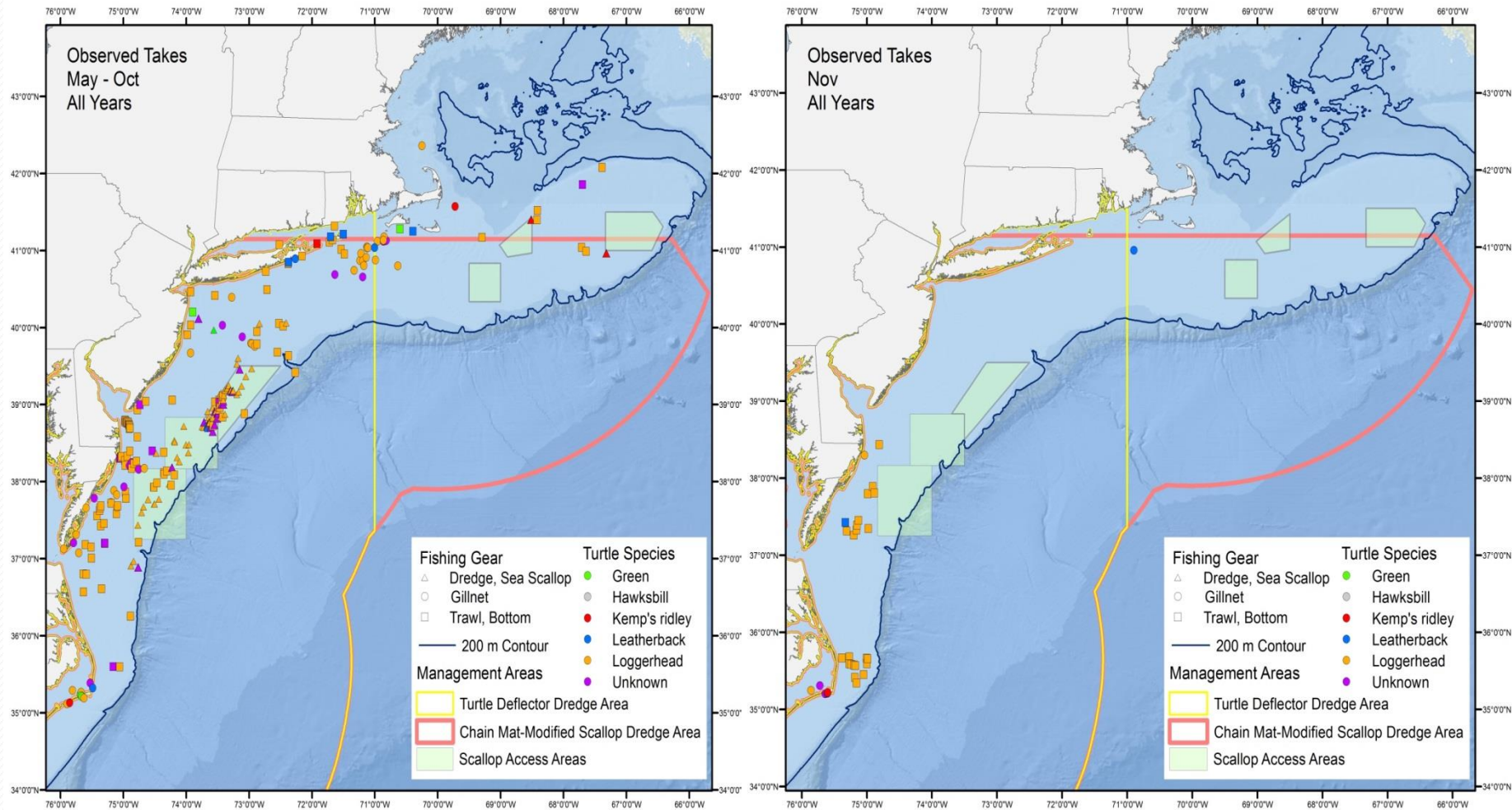
Section 2.6 – Measures to make turtle regulations consistent

- 2.6.1 – No Action
Season and area remain what they are for TDD and turtle chain mat requirements
- 2.6.2 – Revise season and area for turtle chain mat and TDD to be consistent (waters west of 71 W and during the months of May – November)
- Chain Mat: May – November – south of 41 09 N
- TDD: May – October – west of 71 W

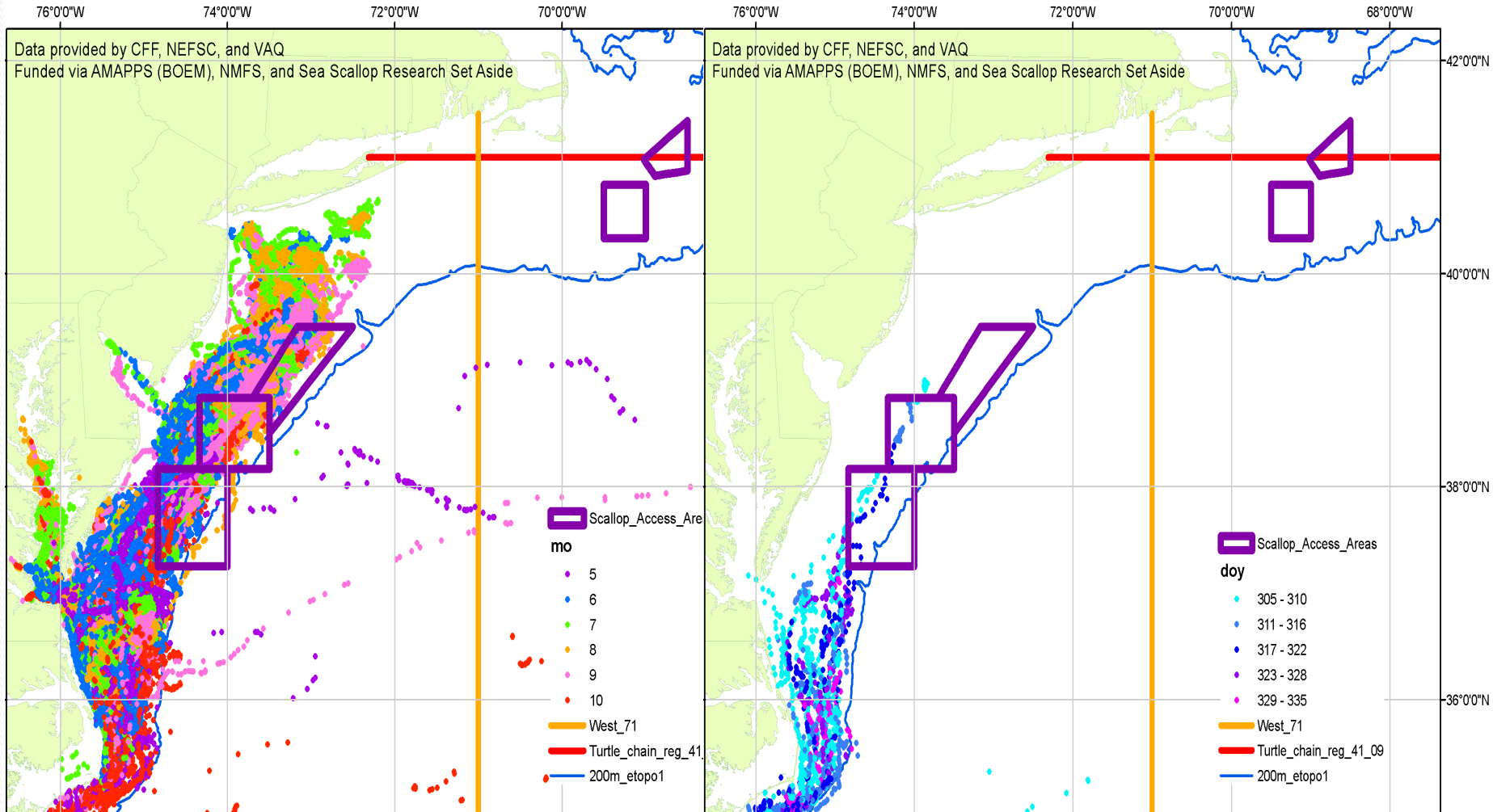
Observed turtle interactions 2004-2013

(all bottom tending gears combined)

Fig 32 and 33 in Doc #2



Location of over 100 tagged turtles (2009-2013) Fig. 34 and 35 in Doc#2



Summary of Impacts

- Chain mat along (80% mortality rate) compared to chain mat and TDD combined (28% mortality rate)
- Used together, chain mats and TDDs are thought to increase the conservation benefit to turtles, because chain mats help reduce the impact to turtles from interactions occurring in the water column and the TDD helps reduce the impact to turtles from interacting with the dredge frame on the bottom.
- Making boundaries consistent – neutral impacts overall
- Low positive for industry – reduce regulation complexity

Section 2.9 – Measures to modify flaring bar regulations for turtle deflector dredge (TDD)

- 2.9.1 – No Action
- 2.9.2 – Allow flaring bar to be attached in more than one place

Motion 9: The Committee recommends Alternative 2.6.2 to make turtle regulations consistent (May-November and west of 71W for both turtle deflector dredge and turtle chain mat) as preferred (Supports AP Motion #12).

The Committee also recommends Alternative 2.9.2 to modify flaring bar regulations for turtle deflector dredge requirement as preferred (Supports AP Motion #13).

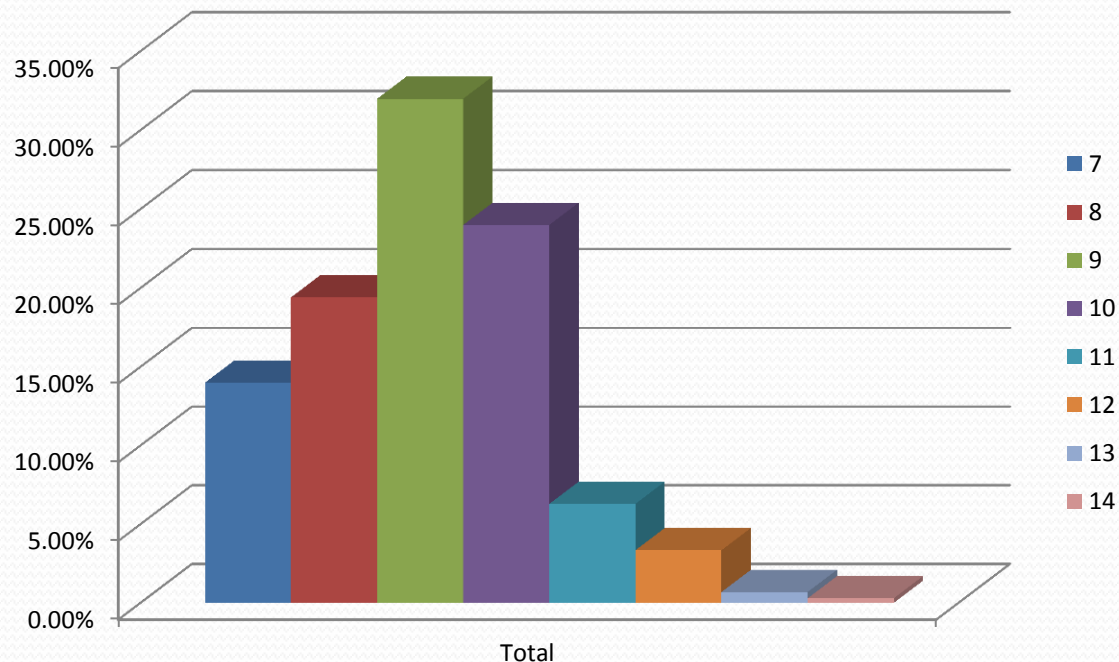
Section 2.7 – New AM for N. WP and revise AMs for GB and SNE/MA YT

- 2.7.1 – N.Windowpane
 - No Action – no AMs
 - Reactive AMs – not complete
 - Proactive AMs – 7 row max or eliminate restriction
- 2.7.2 – GB and SNE/MA YT
 - No Action – current proactive and reactive AMs
 - Revise Reactive AMs – not complete (current seasonal area closure AMs would stay in place)
 - Proactive AMs – 7 row max or eliminate restriction

Section 2.7 – New AM for N. WP and revise AMs for GB and SNE/MA YT

- **Summary of Impacts**

- Changing requirement from max of 7 to minimum of 7 expected to reduce bycatch of flatfish and small scallops
- Majority of fleet using more than 7 rows, so majority of fleet will need to reduce length of apron for all areas



- If fewer small scallops caught – positive impacts on fishery
- Potential for limited increase in fishing time and costs
- However, potentially outweighed by positive impacts of reducing bycatch and exceeding sub-ACLs
- Alternative to eliminate restriction altogether has more uncertain impacts because vessels could fish with any size apron

Motion 10: The Committee recommends that Alternatives 2.7.1.2, 2.7.2.2 and 2.7.2.5 (Develop reactive WP AMs and revise current reactive YT AMs) be moved to the considered but rejected section in FW26. This topic should be added to work priorities for 2015 (FW27).

Section 2.8 – Allow LA vessel to declare out of fishery on return to homeport

2.8.1 – No Action

2.8.2 - VMS Corridor

2.8.3 - DOF from Anywhere

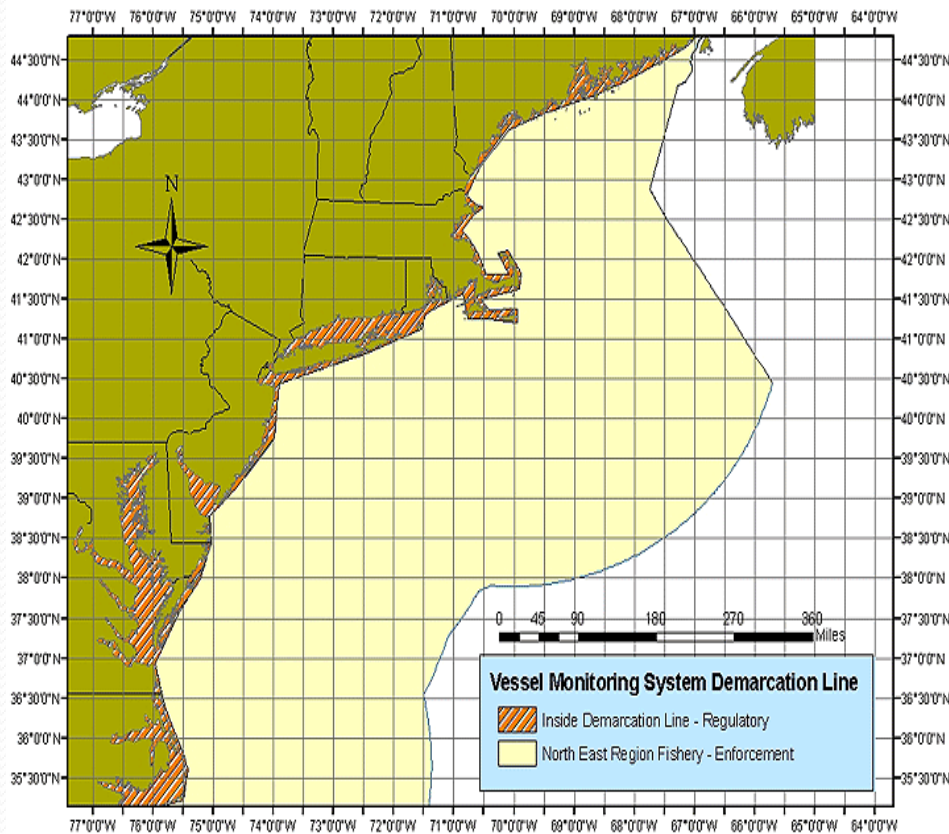
2.8.4 - DOF from Cape May Only

Enforcement Committee meeting on October 27

1. *Allowing transiting through a closed area is difficult to enforce.*
2. *The Enforcement Committee does not support Alternative 2.8.2 (VMS corridor alternative). The Committee would be supportive of specifying two elements of Alternative 2.8.3 (DOF with product on board). Industry funded increased VMS polling (every 5 minutes) and prohibit vessels from having any in-shell product on board.*

Since this is not feasible yet, not included in Cmte pref alternative

Section 2.8 - Allow a limited access vessel to declare out of fishery on return to port



Potential Requirements

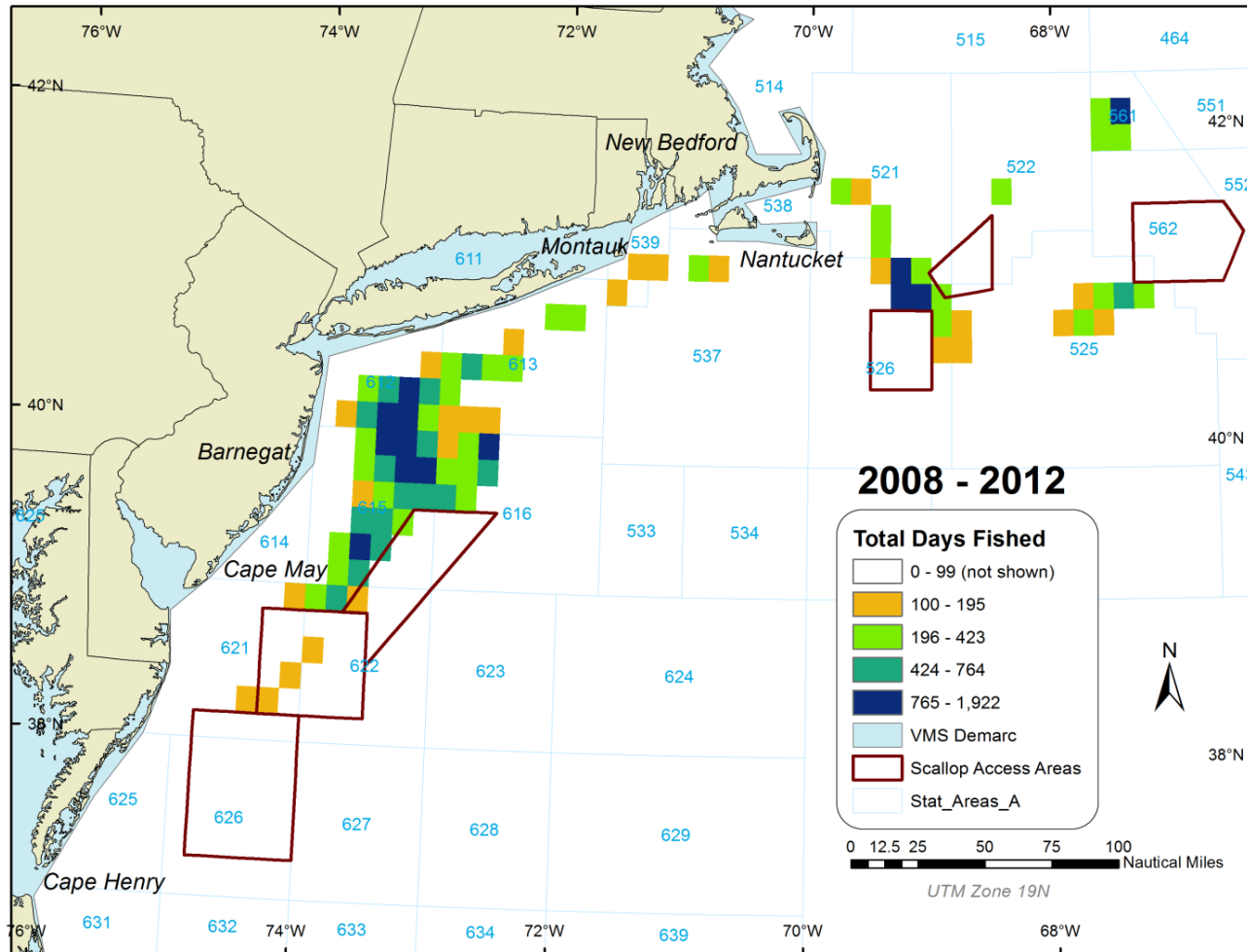
- Vessel must return directly to port and offload scallops immediately
- Pre-landings notification required
- No in-shell product on board (or maximum of 50 bu)
- Gear must be stowed
- Increased VMS polling within corridor (suggested as potential measure at Council meeting buy initial input from NMFS OLE is that this is not feasible)

- October 29 Committee Meeting
 - Motion to move VMS Corridor alternative to considered but rejected section
 - Motion to add DOF Cape May alternative
- PDT focused analyses on two DOF alternatives
- Both would require some DAS adjustment – but how much
- Document #8 summarizes analysis used to develop and analyze alternatives
- Presented to AP in November and DAS savings adjusted based on input

Methods

- VMS data summarized by TMS for all LA open area trips
- Open Area hot spots identified as well as major port areas and locations vessels get off the clock
- Vessels separated into 3 homeport groups: Mass, NJ, and VA (MA = 160 vessels; NJ = 97 vessels; and VA = 70 vessels)
- Distances from hot spots to primary landing ports and demarcation line entry points calculated and “DAS savings” calculated
- A worse case and a realistic case were developed for both DOF alternatives
- AP reviewed and recommended realistic scenario be adjusted – assume 25 vessels return to VA ports (0.14 DAS = 3.5 hours)

Total Days fished by TMS (2008-2012)



Results

| DOF Anywhere | Region | # vessels | Total DAS | DAS gain per vessel | DAS cost per vessel | Net gain/loss in DAS |
|--------------|-------------|-----------|-----------|---------------------|---------------------|----------------------|
| Worse case | Mass | 160 | 242 | 1.51 | 2.24 | -0.73 |
| | NJ | 97 | 213 | 2.20 | 2.24 | -0.05 |
| | VA/NC | 70 | 279 | 3.99 | 2.24 | 1.74 |
| | All vessels | 327 | 734 | | | |
| Realistic | Mass | 160 | 0 | 0 | 0.70 | -0.70 |
| | NJ | 97 | 0 | 0 | 0.70 | -0.70 |
| | VA/NC | 70 | 229 | 3.27 | 0.70 | 2.6 |
| | All vessels | 327 | 229 | | | |
| DOF Cape May | Region | # vessels | Total DAS | DAS gain | DAS cost | Net gain/loss |
| Worse case | Mass | 160 | 0 | 0 | 0.40 | -0.40 |
| | NJ | 97 | 0 | 0 | 0.40 | -0.40 |
| | VA/NC | 70 | 131 | 1.9 | 0.40 | 1.5 |
| | All vessels | 327 | 131 | | | |
| Realistic | Mass | 178 | 0 | 0 | 0.14 | -0.14 |
| | NJ | 124 | 0 | 0 | 0.14 | -0.14 |
| | VA/NC | 25 | 47 | 1.9 | 0.14 | 1.74 |
| | All vessels | 327 | 47 | | | |

Summary of Impacts

- If DAS adjustment adequate there should be neutral impacts on resource and area swept
- Estimated gains and losses to vessels from different ports summarized in Section 1.6.8 in Document #3a
- Vessels from northern ports could incur the largest net loss, and vessels from southern ports could have positive benefits
- DOF Anywhere – greater distribution impacts – for realistic scenario could cost northern vessels \$20,000 per vessel and gain of \$73,000 for southern vessels
- DOF Cape May – cost about \$4,000 to northern fleet (MA and NJ) and gain of about \$49,000 for southern vessels

PDT Consensus Statements (paraphrased)

- *Document #9 – related to DOF Alternatives*
 1. *PDT developed a method to identify a potential DAS adjustment for both DOF alternatives. The PDT did not identify a final recommendation because it is very dependent on changes in fishing behavior; therefore, the AP may be better suited to identify the final adjustment value for each alternative.*
 2. *The PDT noted that since the adjustments may be a fraction of a DAS (i.e. 0.2 DAS), future allocations should be to the tenth decimal place, and not rounded to the nearest DAS.*
 3. *The PDT recommends that the adjustment be applied to part time vessels the same way total DAS are calculated; the adjustment would be 40% of FT adjustment.*
 4. *The PDT recommends the adjustment be applied for at least two years.*

Cmte Recommendations for DOF Alternatives

Motion 12: The Committee recommends Alternative 2.8.4 (DOF from Cape May only) as preferred, and supports the three consensus statements from the PDT about allocating a fraction of a DAS, adjustment be applied at 40% for part-time vessels, and the adjustment should be applied for at least two years. The Committee recommends the DOF location be clarified to be inside of VMS demarcation line south of Cape May. Additionally, the Committee recommends including options a, b, c, and d provisions only (Supports AP Motion #1)

Motion 13: The Committee recommends the DAS adjustment for the DOF Cape may Alternative be 0.14 (equivalent to a 3.5 hour adjustment for FT vessels), based on assumption that 25 is a more realistic estimate of the number of vessels that are currently returning to ports south of Cape May to land scallops (Supports AP Motion #2).