

Scallop Report

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NEFMC
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Webinar



New England
Fishery Management Council

Today's Report:

- **Part 1: Amendment 21**
 - *Review Actions and Public Hearing Comments*
 - *Select final preferred alternatives*
- **Part 2: Framework 33 & Other Business**
 - *Consider expanding scope of work – evaluate allocation transfer*
 - *Gear conflict in Southern New England*

Part I: Amendment 2 I

Outlook

2020	
SEP	NEFMC - Council takes final action
OCT - DEC	Staff update EA for preliminary submission
2021	
FEB	Preliminary submission of amendment document including EA
MAY - JUNE	Final submission of amendment document including EA
JULY - AUG	Final rule & Implementation

Amendment 2 I

Vision, Goals and Objectives

LAGC Vision: Relatively small vessels, possession limits to maintain the historical character, provide opportunities to various participants including vessels from smaller coastal communities.

Northern Gulf of Maine Management

1. Support a growing directed fishery in federal waters in NGOM.
2. Allow for orderly access to the scallop resource in this area by the LAGC and LA components.
3. Establishing mechanisms to set allowable catches and accurately monitor catch and bycatch from the NGOM.

LAGC IFQ Measures

1. Improve overall economic performance of the LAGC IFQ component.
2. Allow for continued participation in the General Category fishery at varying levels.

Amendment 2 I

10 Actions under Consideration

**Northern Gulf of
Maine**



1. Catch Accounting
2. Allocations
3. Monitoring
4. Supporting Research
5. Fishing Season
6. Gear

**LAGC IFQ
Measures**



7. IFQ Trip Limits
8. Observer Compensation
9. Transfer of IFQ

General



10. Future Actions

Northern Gulf of Maine (Actions 1-4)

NEFMC Preferred Alternatives (June 2020)

New Option (Sept 2020)

1. Catch Limits (Sec. 4.1)

Alternative 1:
No Action

Alternative 2:
NGOM Catch Limits as part of ABC and ACL

2. Allocations (Sec. 4.2)

Alternative 1:
No Action

Alternative 2: Create a NGOM set-aside, share additional allocation between NGOM set-aside & NGOM APL (LA & IFQ)

Alt 2. Options

1,000,000 lbs
95/5 split

500,000 lbs
95/5 split

NEW: 600,000 lbs
95/5 split

600,000 lbs
25/75 to 3mil. then 95/5 split

200,000 lbs
25/75 to 3mil. then 95/5 split

3. Monitoring (Sec. 4.3)

Alternative 1:
No Action

Alternative 2:
Monitor NGOM by expanding Scallop Industry Funded Observer Program (IFO)

Alternative 3:
Monitor the NGOM with NEFOP observers

4. Research (Sec. 4.4)

Alternative 1:
No Action

Alternative 2:
Allocate a portion NGOM Allocation to increase Scallop RSA

Alt 2. Options

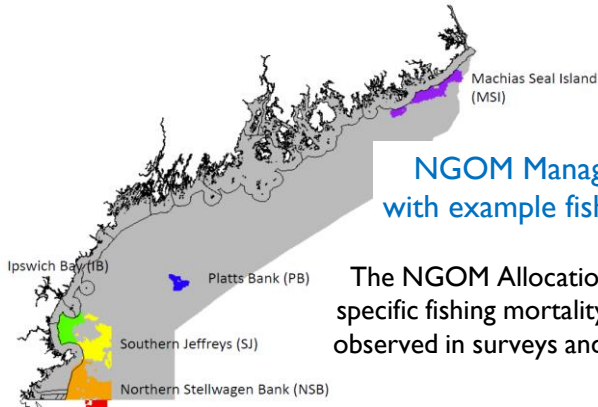
5% of NGOM Allocation

10% of NGOM Allocation

15% of NGOM Allocation

25,000 lbs to increase RSA to 1.275 mil lbs.

Northern Gulf of Maine (Actions 1-4)



NGOM Management Area (grey)
with example fishing grounds overlaid

The NGOM Allocation is calculated by applying a specific fishing mortality rate to exploitable biomass observed in surveys and areas expected to be fished

NGOM Allocation

Monitoring Support (Section 4.3)
1% of NGOM ABC added to Observer Set-Aside

Research Support (Section 4.4)
25,000 lbs of NGOM Allocation added to Research Set-Aside

NGOM Set-Aside

Includes pounds up to trigger value (600,000 lbs)
+
Sharing Agreement
25%: Pounds >trigger <3million
5%: Pounds >3million

NGOM APL

Sharing Agreement
75%: Pounds >trigger <3million
95%: Pounds >3million

LA Vessels
94.5% of Sharing Agreement

LAGC IFQ Vessels
5.5% of Sharing Agreement

What has been analyzed?

NGOM Set-Aside Triggers

Option 1:

1 million pounds

New option of 600K within range of analysis

Option 3:

500,000 pounds

NGOM Sharing Agreement

1 Tier Sharing:

All pounds > Trigger
5% NGOM Set-Aside
95% NGOM APL

Option 2: 600,000 pounds



2 Tier Sharing:

Pounds > trigger ≤ 3 million
25% NGOM Set-Aside 75% NGOM APL

Option 4: 200,000 pounds

Pounds > 3 million
5% NGOM Set-Aside 95% NGOM APL

Northern Gulf of Maine Allocations

- How is the new CTE preferred different from what the Council recommended in June (Option 2 – 4.2.2.2)?
- Both have a 600,000 pound ‘trigger’ –
 - At 2 million pound allocation, LA & IFQ share  by 280,000 pounds
 - At 3 million pound allocation, LA & IFQ share  by 480,000 pounds

NGOM Set-Aside (LAGC @ 200 pounds a day)

Pounds shifted from Set-Aside to APL



LA & IFQ allocations (NGOM APL)

Allocation (lbs)	CTE pref.	June pref.	Pounds shifted from Set-Aside to APL	Allocation (lbs)	CTE pref.	June pref.
Sharing arrangement	95/5 split	Two tier: 27/75 then 95/5 split		Sharing arrangement	95/5 split	Two tier: 27/75 then 95/5 split
100,000	100,000	100,000	0	100,000	0	0
600,000	600,000	600,000		600,000	0	0
900,000	615,000	675,000	60,000	900,000	285,000	225,000
2 million	670,000	950,000	280,000	2 million	1,330,000	1,050,000
3 million	720,000	1,200,000	480,000	3 million	2,280,000	1,800,000
6 million	870,000	1,350,000		6 million	5,130,000	4,650,000

Northern Gulf of Maine (Actions 5-6)

NEFMC Preferred Alternatives (June 2020)

5. Seasons (Sec. 4.5)

Alternative 1:
No Action
(no change)

Alternative 2: Limit
number of landings per
week

Alternative 3: Limit vessels
to one sailing per day

Alternative 4: Establish a
seasonal closure from
Sept. 1 – Nov. 31 annually

6. Gear (Sec. 4.6)

Alternative 1:
No Action
(no change)

Alternative 2: Limit
combined dredge width
to 10.5 ft in NGOM for
all scallop vessels

Alternative 3: Limit
combined dredge width
to 15.5 ft in NGOM for
FT LA scallop vessels



Northern Gulf of Maine Actions 1-2

Potential Impacts of Preliminary Preferred Alternatives

Actions 1-2 would establish a new approach to managing NGOM with emphasis on conservation and catch accounting. Impacts will vary with the size of the scallop population in the NGOM.

Catch Accounting: Include in ABC/ACL

Improved understanding of resource status, + impacts on long-term management, especially if the spatial extent of the scallop population shifts due to climate change.

NGOM Allocations:

Conservation benefits of set-aside model, + biological impacts. Additional allocations for LA and LAGC IFQ under new system.

600k trigger, 95/5 & Two Tier option

Scenario Analyses show tradeoffs associated with each sharing agreement.

- Mid-range trigger, access for LA sooner
- Two-tier system increases NGOM set-aside faster (25%) up to 3 million lbs.
- Vessel level impacts for LAGC NGOM depend on future participation

Northern Gulf of Maine Actions 3-6

Potential Impacts of Preliminary Preferred Alternatives

Monitoring: Expand current observer program for scallops (IFO)

+ impact for scallop resource and non-target stocks species through data collection. Data supports stock assessments. Offsetting costs has + impact.

Research: Add 25k lbs to Scallop RSA

+ biological, social, and economic impacts. Research & surveys have LT benefits for the fishery.

Fishing Season: No Action

Maintains flexibility – considered + Impacts hinge on future allocations, likely mixed for most VECs.

Gear: No Action

No restrictions on max dredge width. Flexibility for all fishery components. Impacts vary depending on how LA can access the area (DAS vs. trip limits).

LAGC IFQ Management Measures (Actions 7-8)

NEFMC Preferred Alternatives (June 2020)

7. LAGC IFQ Possession Limit (Sec. 4.7)

Alternative 1:
No Action

Alternative 2: Increase
LAGC IFQ possession limit
to 800 lbs

All Areas

Access
Areas only

Alternative 3: Increase
LAGC IFQ possession limit
to 1200 lbs

All Areas

Access
Areas only

Analyzed range of
LAGC IFQ
possession limits in
Amendment 21:
600 lbs – 1,200 lbs

8. Observer Compensation (Sec. 4.8)

Alternative 1:
No Action

Alternative 2:
Prorate daily compensation
in 12-hour increments for
LAGC IFQ trips
longer than 1 day

Alternative 3: Allow a
second day of
compensation for LAGC
IFQ trips longer than 24-
hours

Compensation
capped at two
days

LAGC IFQ Management Measures (Action 9)

NEFMC Preferred Alternatives (June 2020)



9. One-way transfer of quota from LA with IFQ to LAGC IFQ-only (Sec. 4.9)

Alternative 1:
No Action

Alternative 2: Allow temporary transfer of IFQ from LA to LACC IFQ

No change to quota caps

Increase quota caps

Alternative 3: Allow permanent and temporary transfer of IFQ from LA to LACC IFQ

No change to quota caps

Increase quota caps

LAGC IFQ Actions 7-9

Potential Impacts of Preliminary Preferred Alternatives

800 lbs trip limit in AAs:

Lower trip costs across year for access areas, increased flexibility for trips with greatest steam time, + impact fleet wide.

Increase in lease price possible, mixed economic impact at vessel level depending on amount of quota leased-in. + impact to vessels that lease-in very little, – impact to vessels that lease-in majority of quota

Increase observer compensation at 12-hour increments:

Compliments higher possession limit, offset cost of carrying observer if trips are longer, + economic and social impacts

Temporary one-way transfer of IFQ, no change to quota cap:

Could increase quota availability in IFQ-only fishery, improve flexibility for both LA with IFQ and IFQ-only, + economic impacts expected

Expand List of Frameworkable Measures (Action 10)

NEFMC Preferred Alternatives (June 2020)

10. Specifications and Framework Adjustment Process (Sec. 4.10)

Alternative 1:
No Action

Alternative 2: Expanding the list of measures that can be addressed through a framework or specifications action

- Council did not select a preferred option for Action 10 in June. Committee prefers Alt. 2.
- Current list of measures to in Alt. 2 could be completed using broad interpretation of existing regulatory authority.
- Alt. 2 provides a list of measures that could be considered in a future FW. **See Example**

Seeking input on whether to include details about what can be done through existing authority

Adjustments to the Northern Gulf of Maine scallop fishery measures

Current regulatory authority: 648.55(f)(35)

Example
Alt. 2

Sub-areas with
separate
allocations

Multiple Seasons

Mortality Targets

How LA and
LAGC IFQ
fish the area

Summary of Public Comments

- Public Comment Period: July 22, 2020 – Sept. 4, 2020
- All comments received during the public comment period are summarized (i.e. written comments, oral comments from scoping meetings)
- **If a person spoke multiple times at a given hearing, that was considered to be one comment**
- **Note:** This is not a substitute for the comments received – interested parties should consult the full text of public hearing summaries/written comments:
<https://www.nefmc.org/library/amendment-21>

Description of Commenters

Oral comments:

- 98 attendees at 4 public hearing webinars (including duplicates)
- 13 individuals provided comments.

Written comments:

- 54 written comments signed by 55 people

Table 1. Public hearing attendance

Webinar date	Attendees	Speakers
August 5	29	2
August 12	18	2
August 27	21	4
September 2	30	7
Total	98^a	13^b

Note: Does not include Scallop Committee Chairman and Council staff.

^a Includes duplicates.

^b Duplicates removed.

Description of Commenters

Table 2. Primary stakeholder type of commenters

Grand total:

- 67 comments received
- 59 individuals commented
- Stakeholders represent entirety of scallop fishery

Primary stakeholder type	Total	Also commented in scoping
Scallop fishery - NGOM only	20	10
Scallop fishery - IFQ only	2	1
Scallop fishery – NGOM and IFQ	1	1
Scallop fishery - LA only	1	0
Scallop fishery – LA vessel with IFQ permit plus IFQ vessel or CPH	2	2
Government representatives	2	0
Shoreside support services	8	1
Fishing organization	3	3
Other NGOs	1	0
Other interested public	19	1
Total commenters	59	19

Action 1 – Accounting for NGOM

- All 13 comments in support of Council’s preliminary preferred Alternative 2: *account for NGOM as part of fishery-wide OFL/ABC/ACL*
- Support: Adding the NGOM to “flow chart” would improve management, bring the NGOM in line with how the fishery is managed

Action 2 – NGOM Allocation

- 39 comments (most of any action)
- Majority in favor of Council preferred (n=33) from NGOM fishermen or in support of NGOM fishermen
- Other comments by LA interests in support of lower trigger and 95/5 split

Commenters	600K trigger; 25/75 split to 3mil; 5/95 split over 3mil*	500K trigger; 5/95 split	200K trigger; 5/95 split**
NGOM fishermen	19	0	0
LA & IFQ Fishermen	0	2	2
Elected Officials	2	0	0
Orgs.	2	1	0
Shoreside	5	1	0
Other	5	0	0
Total	33	4	2

*Preliminary preferred alternative. **Alternative not currently in Amendment 21

Monitoring, RSA, NGOM Seasons

21 comments supporting the Council's preferred alternatives for monitoring, RSA, and NGOM seasons (Actions 3, 4, and 5)

- Commenters mix of NGOM, LA, and IFQ fishermen
 - Important that management be based on best available science
 - Address lack of data in NGOM
 - Improved data collection will bolster NGOM resource
 - Suggestion that EM be considered for NGOM moving forward [Action 3]
 - Keep flexibility for vessels [Action 5]

Action 6 – NGOM Gear Restrictions

- 16 comments
- majority in support Council pref. (No Action), including 7 NGOM fishermen (n=11)
 - No conservation rationale for limited dredge width
- 5 comments in favor of limiting FT LA dredge width:
 - NGOM unique area
 - Scale effort/dredge size to smaller fishing grounds in NGOM

Comments	No Action*	Alt. 2 - 10.5' max dredge width	Alt. 3 - 15.5' max dredge width
NGOM Fishermen	7	1	2
LA & IFQ Fishermen	2	0	0
Orgs.	1	0	1
Shoreside	1	1	0
Other	0	0	0
Total	11	2	3
*Council preferred.			

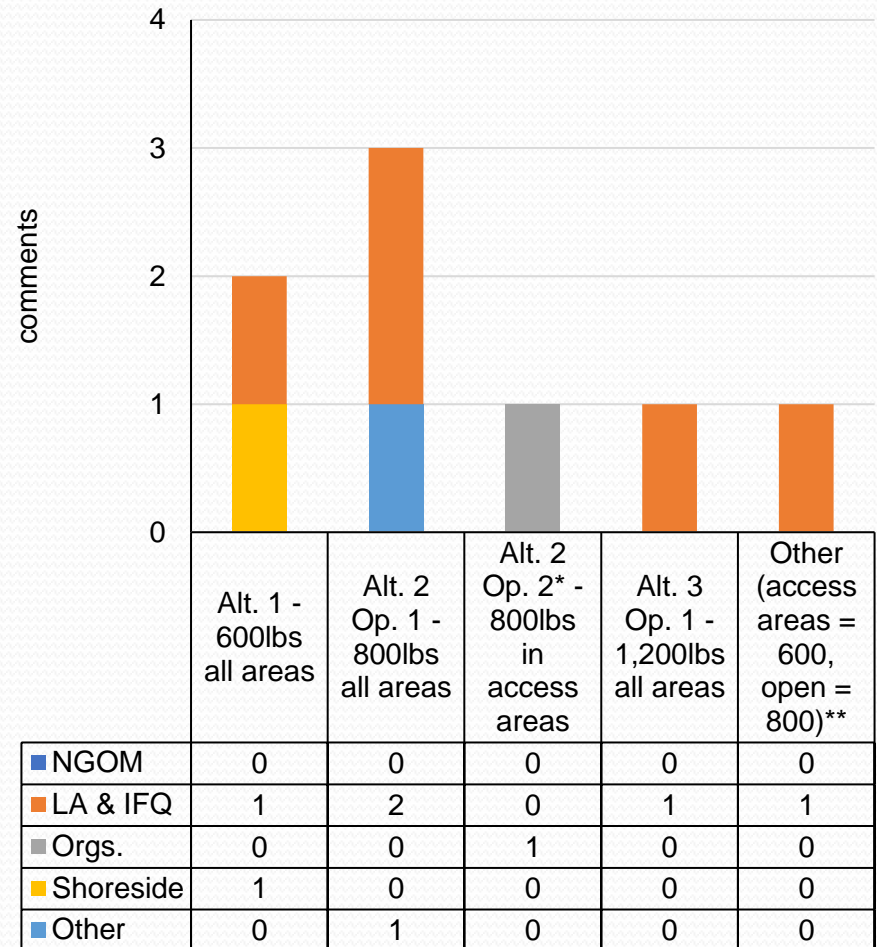
Action 7 – LAGC IFQ Trip Limits

- 8 comments
- most comments supporting 800-pound limit for all trips (n=3) or No Action (n=2)
- 1 comment in support of Council pref., no rationale provided

Other suggestions (not currently in A21):

1. 800-pound limit in open area, 600 pounds in AA.
2. 4,200-pound weekly limit

Comments Supporting Action 7 Alternatives



*Council preferred, **alternative not currently in A21.

Action 8 – LAGC Observer Compensation

- All 4 comments in support of Council preferred: *prorate additional compensation for observed LAGC trips > 1 day in 12-hr increments, capped at 48 hours*
- No specific rationale provided

Action 9 – One-way Quota Transfer

- 4 commenters, all but 1 supported Council's preferred: *allow temporary one-way transfers with no changes to quota accumulation caps*
- Support: more quota available for LAGC IFQ-only vessels, gives more flexibility to LA vessels with IFQ
- 1 commenter in opposition, feeling that LA vessels with IFQ should be able to transfer among like vessels, concern of the impact to vessels in southern range of fishery

Action 10 – Frameworkable Measures

- Total of 2 comments, both in support of Alternative 2:
expand list of measures that can be addressed through specifications/framework adjustments
- Note: Council did not select preliminary preferred for Action 10

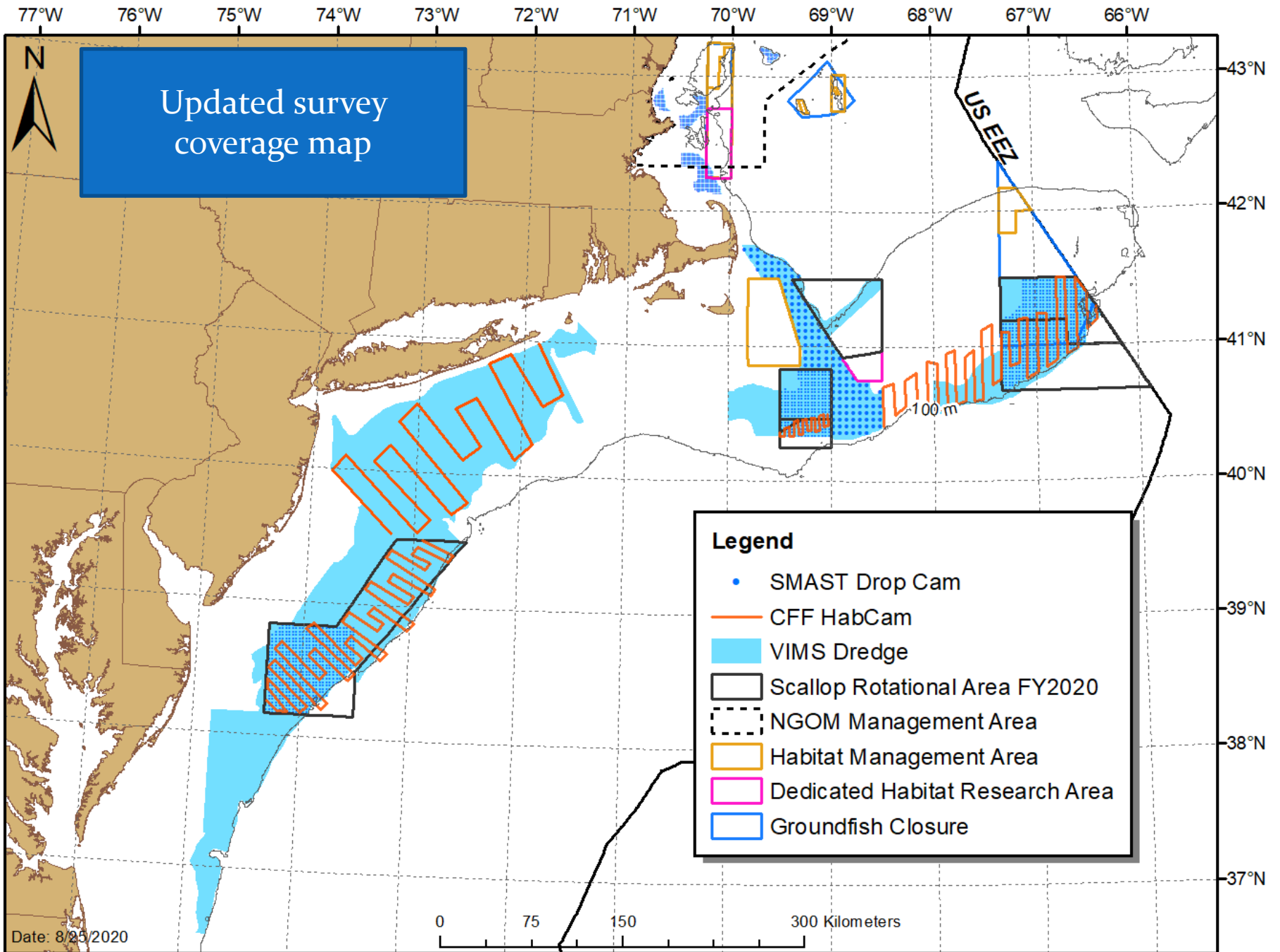
Part 2: FW 33 and Other Business

2021/2022 Specs planning

- Very tight timeline for 2021/2022 specs, January final action.
- Survey groups completed the 2020 field season.
 - All groups modified workplans to collect additional data.



- PDT review survey data on October 15, 2020 (webinar)
 - Several follow-up meetings planned. See Council website.
- Joint PDT/AP meeting in November, followed by CTE.
 - Expect additional AP & CTE meetings in Dec. and Jan.



Date: 8/25/2020

NLS West Access Area

- *Committee motion to evaluate re-allocating uncaught NLS-West pounds from FY2019 to the NLS-South in FY 2021 as part of FW33.*
- 5 trips allocated in 2 years (~30 million lbs allocated).
- Emergency action extended opening through Aug. 2020
- ~2.3 million pounds of 2019 allocation not harvested.
- Data showed low LPUE in NLS-West. Small amount of landings June – Aug. Survey results forthcoming.

SNE Gear Conflict

- Correspondence re: Fixed/Mobile gear conflict in SNE, Lobster Area 4.
- Owner/operator joined both AP & CTE to explain & discuss the situation.
- *Consensus statement to send letter to NMFS; bulletin to scallop permit holders.*

