DISCUSSION DOCUMENT
FW26 DRAFT FISHERY SPECIFICATIONS

2.0 MANAGEMENT ALTERNATIVES UNDER CONSIDERATION

2.1 FISHERY SPECIFICATIONS

Specifications for the limited access fishery include DAS and access area trips as limited by the ACT for the limited access fishery and what areas are open to the fishery.

Specifications for the LAGC fishery include an overall IFQ allocation for vessels with LAGC IFQ permits, a hard TAC for vessels with a LAGC NGOM permit, and a target TAC for vessels with a LAGC incidental catch permit (40 pound permit).

The PDT met on August 26/27, 2014 and began to discuss potential specifications for Framework 26. In addition, PDT conference calls were held on September 10 and September 18 to continue developing strawman alternatives for the AP and Committee to consider.

2.1.1 Alternative 1 (No Action – Default measures from Framework 25)

Under No Action, the sub-ACL for the LA fishery would be 21,879 mt (48,234,778 lb). The specifications would include default measures approved in Framework 25 for FY2015 which are 75% of the projected DAS for that year. For full-time vessels that is equivalent to 17 DAS (75% of 23 DAS) and 7 DAS for part-time vessels. There are no access area allocations under No Action. These measures would remain in place until replaced by another action.

Under FY2015 default measures the LAGC IFQ allocation is 1,274 mt for vessels with a LAGC IFQ permit as well as LA vessels with a LAGC IFQ permit. This allocation is equivalent to 5.5% of the ACL projected for FY2015 from FW25. On March 1, 2014 LAGC vessels will be allocated an individual quota based on default measures that will likely be different than the allocation LAGC IFQ vessels will ultimately be allocated under FW26. Similar to FY2013 and 2014, LAGC vessels will need to be aware that final allocations for FY2015 are likely to be different than allocations received on March 1, 2015 before FW26 is implemented.

No action for the NGOM hard TAC is 70,000 pounds and the target TAC for vessels with a LAGC Incidental permit is 50,000 pounds.

2.1.2 Alternative 2 (Specifications based on basic run using fishing mortality target principles in the FMP with no modifications to scallop access area boundaries)

This is the basic alternative the PDT generally begins with when identifying possible specification alternatives. Target catches in this fishery are driven by three principles developed

as part of the "hybrid" overfishing definition approved in Amendment 15. The three main principles that are used in this FMP to set target catches for the fishery are:

1) fishing mortality in open areas cannot exceed Fmsy;
2) a spatially averaged fishing mortality target is limited to the value considered to the ACT for the fishery for all areas combined (open and closed areas); and
3) fishing mortality targets for access areas are based on a time-averaged principle, higher F in some years followed by closures or limited fishing levels in other years.

When these principles are applied to the estimated biomass in each area for FY2015 the allocations for full-time LA vessels are:

- ?? DAS for FT vessels in open areas (when open area F is set at 0.48); and
- Some level of access would be allocated in all three of the MA scallop access areas (Delmarva, Elephant Trunk and Hudson Canyon). A target F of ?? would be applied in all areas with sufficient exploitable biomass and lower growth potential.
- The remaining scallop access areas would be closed to the scallop fishery in 2015: Closed Area I, Closed Area II, and Nantucket Lightship.
- Access area trips would be allocated by lottery for FT vessels. Vessels with part-time or occasional vessels could decide which areas to fish access area trips in, that are open to the fishery in 2015.
- Total projected catch for Alternative 2 from all sources of catch (including set-asides and LAGC catch) is ???.

The LA-sub ACL for this alternative is 23,653 mt (52,146,719 lb), and the LAGC IFQ sub-ACL under this alternative is 1,376mt. Both sub-ACLs are about 25% higher than the ACLs from 2014, and 8% higher than the default 2015 values. The PDT has not completed the final simulations for these alternatives, so the sub-ACT is not available yet. It should NOT be assumed that the ACT will be 25% higher than the ACT from 2014.

The maximum that the annual catch target can be set at is the catch associated with applying a fishing mortality rate of 0.34 in all areas, 0.04 below ABC/ACL, currently estimated at 0.38, to account for management uncertainty. But in reality some areas are closed and not available to the scallop fishery. Therefore, in practice, the ACT cannot exceed 0.34 overall, but target catches are driven by the three overall principles developed as part of the "hybrid" overfishing definition approved in Amendment (F in open areas cannot exceed Fmsy; F in access areas set annually at a level that results in F no higher than Fmsy when averaged over time; and the combined target F in open, access, and closed areas cannot exceed F associated with ACT, currently 0.34). In a given year, one of these three principles will be the constraining element that dictates what the overall target F can be for a particular specification alternative. For example, for FY2015 under this alternative, the constraining factor for setting projected catches is ???. Therefore, under this alternative the projected catch is limited by ???.

No action for the NGOM hard TAC is 70,000 pounds and the target TAC for vessels with a LAGC Incidental permit is 50,000 pounds.

2.1.3 Alternative 3 (Specifications based on basic run using fishing mortality target principles in the FMP with modifications to scallop access area boundaries)

Several different modifications to existing access areas are under consideration for various reasons. The primary reason is that 2014 survey results showed very large concentrations of small scallops in various parts of the resource area. Most scallops were two to three years old during the 2014 survey season (50-70mm), so they may be susceptible to scallop fishing gear in FY2015 (typically about 100mm). There were also even smaller scallops observed in the surveys this year (i.e. south of Long Island), but those scallops were under 30 mm (0-1 year old scallops); therefore, it is not as critical to consider new rotational closures in those areas until the scallops are larger.

Option 1, 2 and 3 are extensions of current access areas to include concentrations of small scallops that are near existing boundaries of current access areas. These options are limited in that they only extend into "open areas" to the scallop fishery; the options do not extend into any closed areas, and do not reduce the size of any current scallop access areas. The PDT may consider modifying these areas again in a future action; for example, if closed areas for EFH or groundfish are modified in another action. But this action is only considering extensions of current scallop access areas into adjacent open areas.

Options 4 and 5 are different in that they propose closed areas *within* current scallop access areas, or a temporary prohibition to fish in a subset of a current scallop access area. The two areas identified also contain large concentrations of small scallops, but they are included in this action for other purposes as well. Specifically, Option 4, modification of Elephant Trunk has two purposes: 1) to reduce incidental mortality on small scallops within the access area; and 2) increase overall yield production from the access area by concentrating effort in deeper waters first. Scallops grow faster in shallow waters and the overall growth potential is lower for scallops in deeper waters. Therefore, concentrating effort in deeper waters first will take advantage of the differential growth patterns for scallops by depth and is expected to increase overall yield from the area compared to opening the entire area at once. Previous openings have shown that vessels tend to fish in areas with highest concentrations first, but shallow areas are generally targeted first since they are closer to shore and scallops grow faster in more shallow waters. And in some areas, relatively large scallops are in some shallow areas, but they are younger than scallops farther offshore, and have more potential yield left compared to older scallops farther offshore.

Option 5, modification to Hudson Canyon also has two purposes, but they are slightly different. The first reason is the same, to reduce incidental mortality on small scallops within the access area. However, based on 2014 survey results the highest concentrations of small scallops in HC are not particularly concentrated in the northern part of the access area. There are definitely some small scallops in that area, but they are found in higher concentrations in other parts of the access area. The main driver of considering a closure in the northern part of HC would be to potentially provide higher levels of *future* recruitment, rather than to protect current recruitment in that area. Each time HC was closed in the past, there have been record levels of recruitment in ETA the year after. Preliminary analyses suggest that there could be a strong stock/recruitment relationship for this area; when biomass is high in the northern part of HC and the area is closed, recruitment levels downstream the year after are above average (i.e. ETA). Closing the southern

part of HC to further protect the smaller scallops in that area would be more problematic because there are also larger scallops in that area. This is an issue throughout all the MA access areas, but the degree of overlap of small and large scallops varies. The northern part of HC is currently not as concentrated with large scallops compared to the southern part of the access area.

More work is needed to statistically prove the potential stock-recruit relationships for this area, but the PDT recommends consideration of this closure for one year since there are currently relatively low levels of large scallops in the northern part of HC, thus the potential gains for future recruitment in ETA could be great compared to the potential costs of delaying access in the northern part of HC until 2016.

The current thinking is that multiple options could be selected together. For example, the final specification Alternative 3 could include several modifications options for different areas. The PDT has not yet decided how to analyze this many options in terms of simulations and projections. It may be too complex and time consuming to run full projections for every combination of modification options. But the idea is that more than one option could be selected within this alternative. For example, the final Alternative 3 may include Option 1, Option 2, and Option 4 altogether; or Option 1 and Option 5 only, etc.

For Option 4 and 5 it will be important to clarify how the fishing mortality rate should be set in the remaining area. For example, if all of ETA was open in 2015 and an overall F of 0.4 was applied to the area maybe it would provide about 6 million pounds of catch. However, if Option 4 was selected and the northwest corner was closed in 2015, FW26 could either A) still apply 0.4 to the rest of ETA and allow for lower total catch from ETA, say 5 million pounds, or B) increase F in remaining parts of ETA not closed under Option 4 to something higher, say 0.5 to maintain catch from that area at 6 million pounds for 2015. Each approach would have different impacts on catch in 2015, and beyond.

The potential boundaries for all of these areas are described in Figures 1 - 6.

2.1.3.1 Option 1 – Modification to access area in Closed Area II – modified area would be closed in FY2015

2.1.3.2 Option 2 – Modification to access area in Nantucket Lightship (small) – modified area would be closed in FY2015

2.1.3.3 Option 3 – Modification to access area in Nantucket Lightship (large) – modified area would be closed in FY2015

2.1.3.4 Option 4 – Modification to Elephant Trunk (prohibit access in northwest corner)

2.1.3.5 Option 5 – Modification to Hudson Canyon (prohibit access in northern part of access area)

The LA-sub ACL for this alternative is the same as Alternative 2: 23,653 mt (52,146,719 lb), and the LAGC IFQ sub-ACL under this alternative is 1,376mt. The PDT has not completed the final simulations for these alternatives, so the sub-ACT is not available yet. It should NOT be assumed that the ACT will be 25% higher than the ACT from 2014. ACT is based on available scallops, and many of the scallops currently in the survey are small and/or in closed areas; neither available to the fishery in 2015.

No action for the NGOM hard TAC is 70,000 pounds and the target TAC for vessels with a LAGC Incidental permit is 50,000 pounds

2.1.4 Alternative 4 (Specifications based on basic run using fishing mortality target principles in the FMP, but reduce fishing mortality target for MA access areas lower than allowable limits to reduce incidental mortality on small scallops in those areas)

The same overall principles would be used to set fishing targets for the fishery; however, the allowable fishing mortality limit used to set allocations for MA access areas would be reduced by some amount to reduce impacts on small scallops observed in those areas. For example, if the time averaged fishing mortality rate for these areas is allowed to be 0.50, the PDT will instead limit the fishing mortality to something lower, i.e. 0.45. This reduction in fishing mortality targets would translate into fewer trips and lower catch allowed to be removed from the area. Vessels would be permitted to fish individual trips throughout the access area, and there would be no restricted areas within the access areas. Vessels would be limited to one access area only per allocated trip; all three access areas would not be considered one generic mid-Atlantic access area trip (Alternative 3).

If it becomes clear that closing subareas within access areas is not practical and would logistically be difficult for the scallop industry and NMFS to administer, this alternative would still reduce impacts from incidental mortality on small scallops within access areas. One potential concern with some of the options under consideration for Alternative 3 (Options 4 and 5) that would restrict access in portions of the MA access areas is vessel crowding. If the sub-area closures are relatively large, particularly if vessels are allocated generic mid-Atlantic trips, and not specific to a particular area, there may be a large number of vessels fishing in a relatively small area. In addition, it may be problematic if subarea closures are between areas vessels are fishing and port of landing, a vessel may have to steam around a closure to get to port rather than transverse through a closed area within an access area.

The LA-sub ACL for this alternative is the same as Alternative 2 and 3: 23,653 mt (52,146,719 lb), and the LAGC IFQ sub-ACL under this alternative is 1,376mt. The PDT has not completed the final simulations for these alternatives, so the sub-ACT is not available yet. It should NOT be assumed that the ACT will be 25% higher than the ACT from 2014. ACT is based on available scallops, and many of the scallops currently in the survey are small and/or in closed areas; neither available to the fishery in 2015.

No action for the NGOM hard TAC is 70,000 pounds and the target TAC for vessels with a LAGC Incidental permit is 50,000 pounds

2.2 ADDITIONAL MEASURES TO REDUCE INCIDENTAL MORTALTIY ON SMALL SCALLOPS WITHIN ACCESS AREAS OPEN IN 2015 (CONSDIERED IN FW25)

The PDT has not discussed any of these in this action yet, but if Alternative 4 is further developed these are other strategies the Council used in FW25 to reduce impacts on small scallops in Delmarva when limited access was granted into that area in 2014.

Should any of these alternatives be considered in FW26?

2.2.1 Prohibit FY2015 RSA compensation fishing from occurring in ???

2.2.2 Seasonal restriction (in FW25 Delmarva only open for 90 days)

2.2.3 Restrict crew limit in FY2015 to be consistent with open area limits

Figure 1 – Potential boundaries for scallop access area modifications for FW26 for the Mid-Atlantic

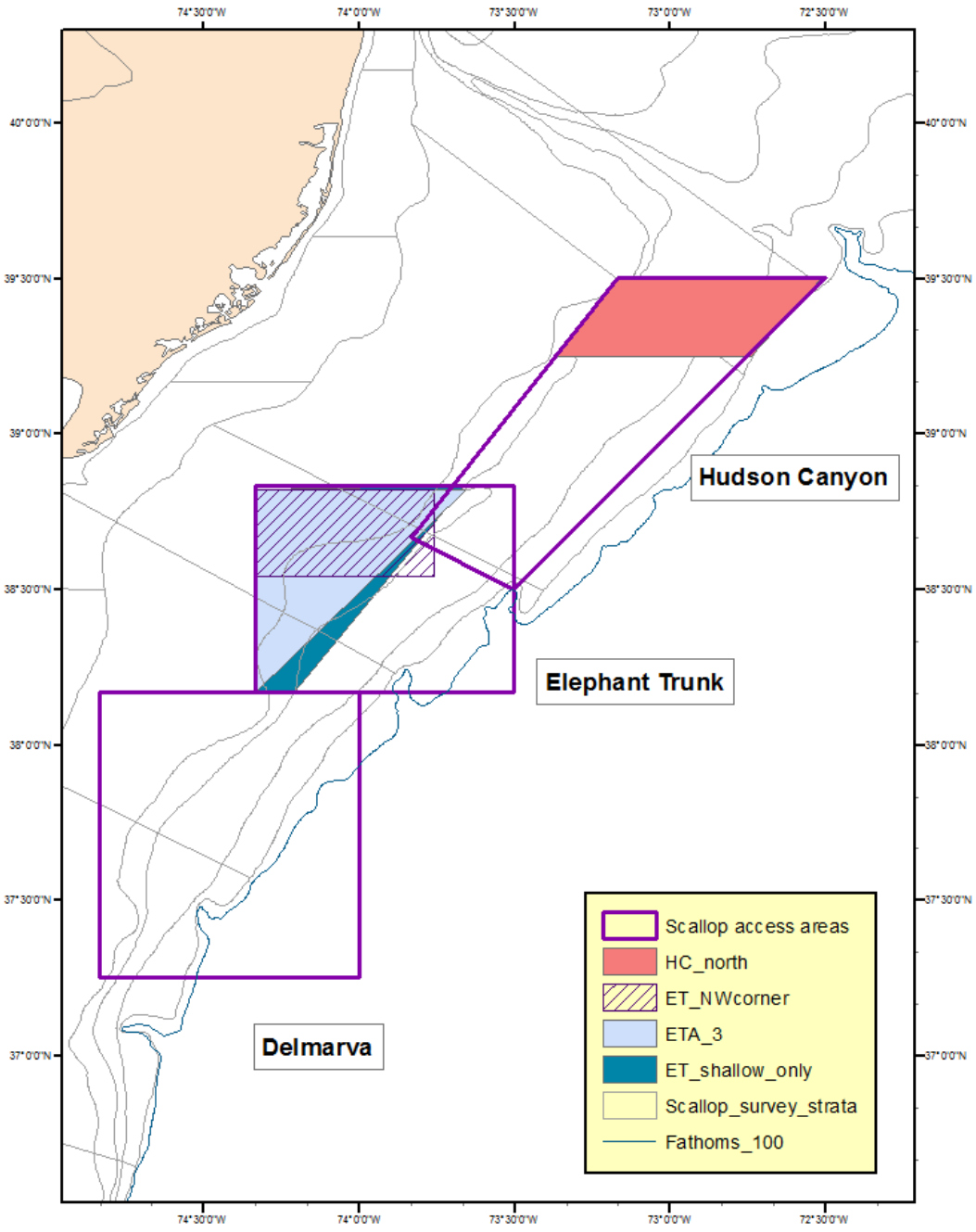


Figure 2 – Potential boundaries for scallop access area modifications for FW26 for the Mid-Atlantic with 2014 scallop abundance by size class (VIMS data only)

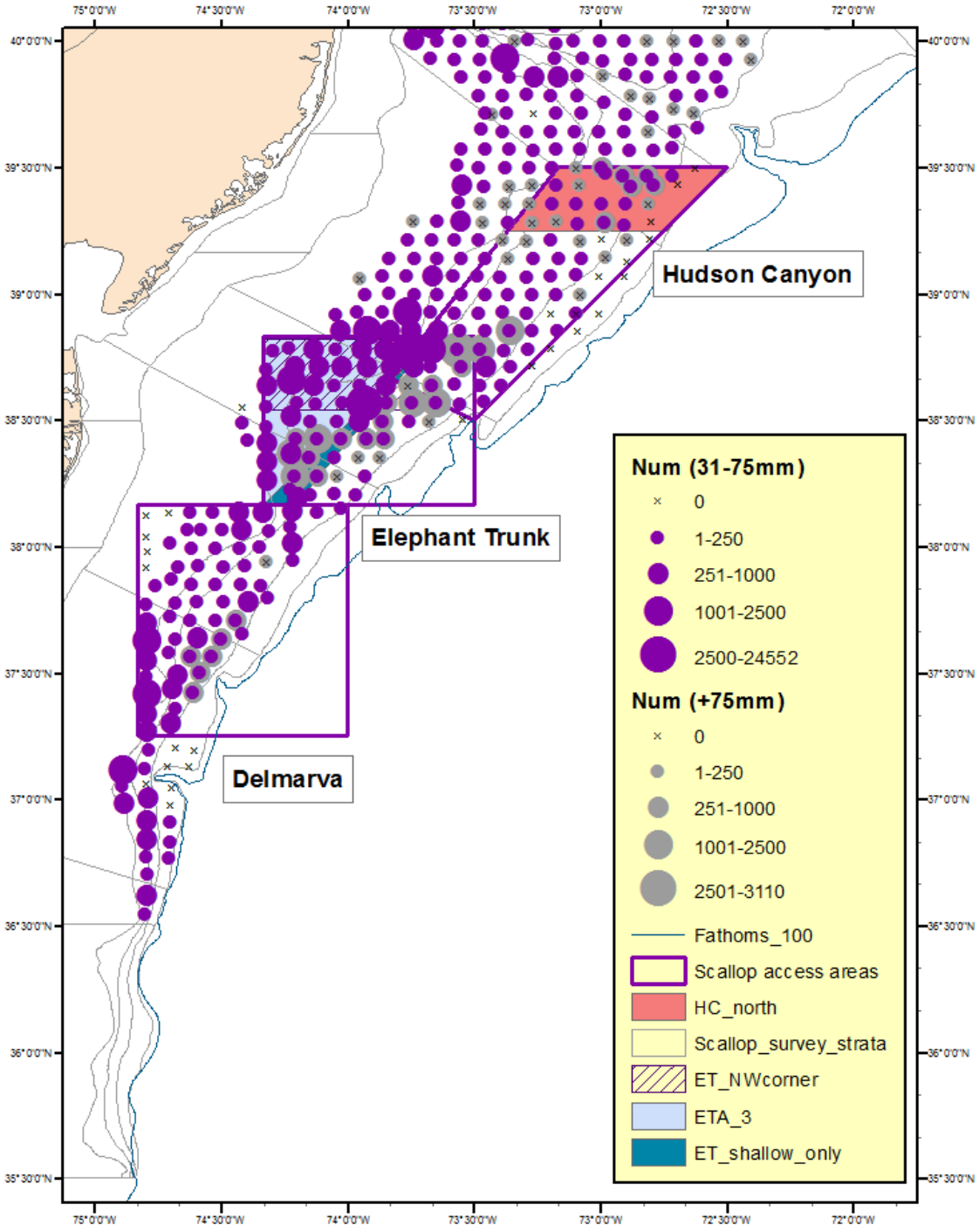


Figure 3 – Enlarged maps for ETA and HC separately

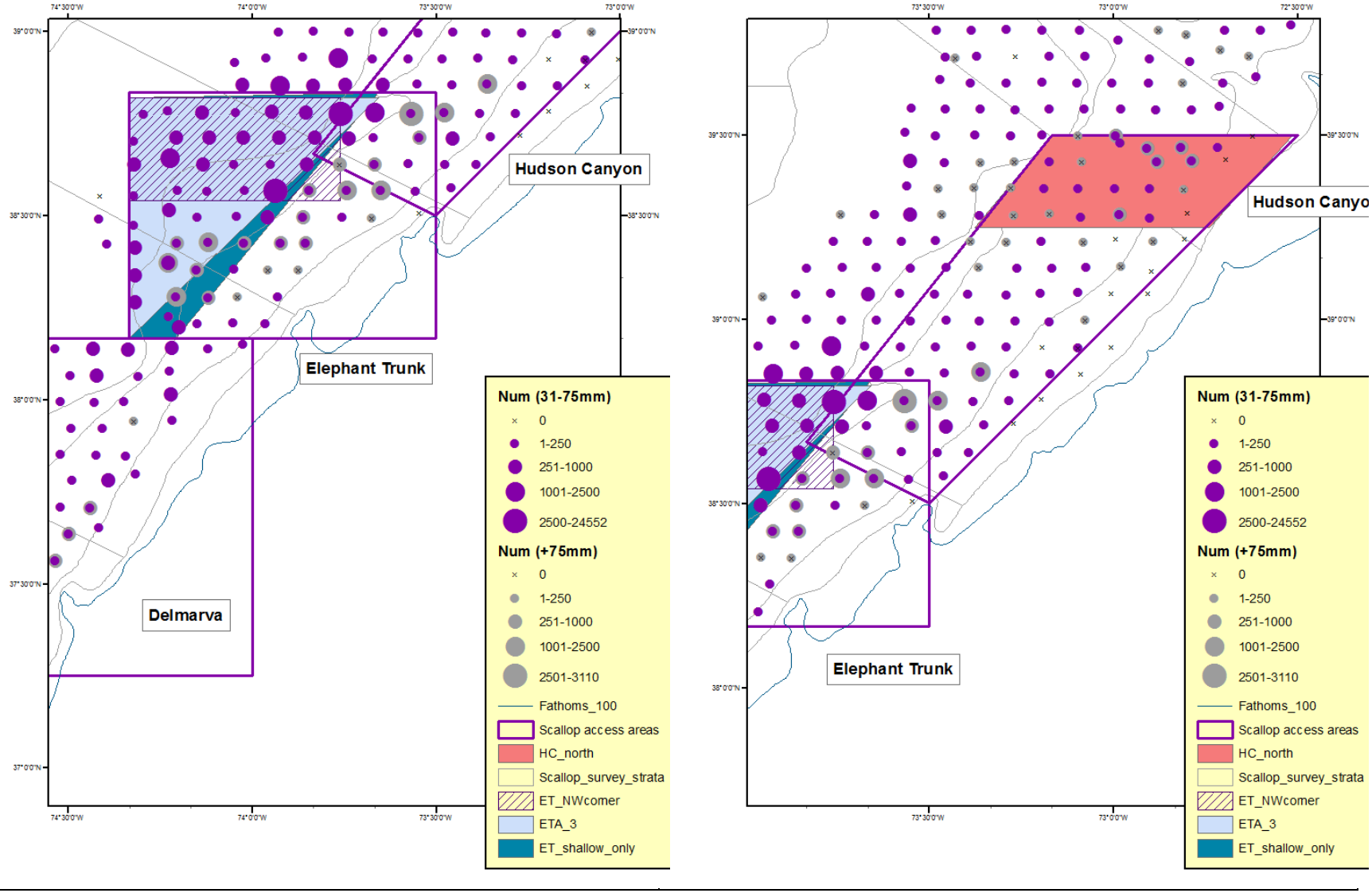


Figure 4 – Estimated growth rates by ten-minute square projecting 2014 VIMS data to 2015 (potential boundaries with dashed lines)

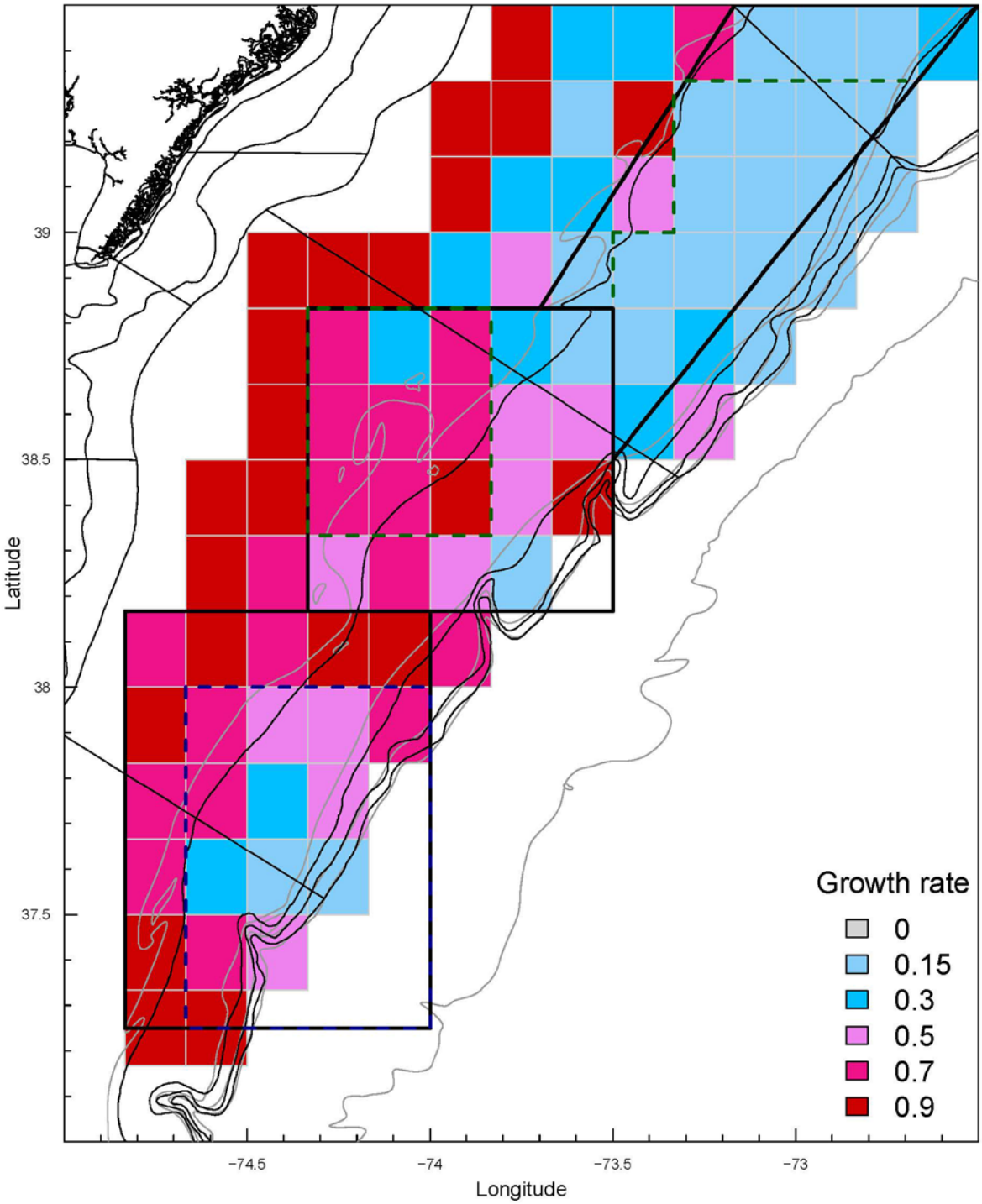


Figure 5 – Potential boundaries for scallop access area modifications for FW26 for Georges Bank

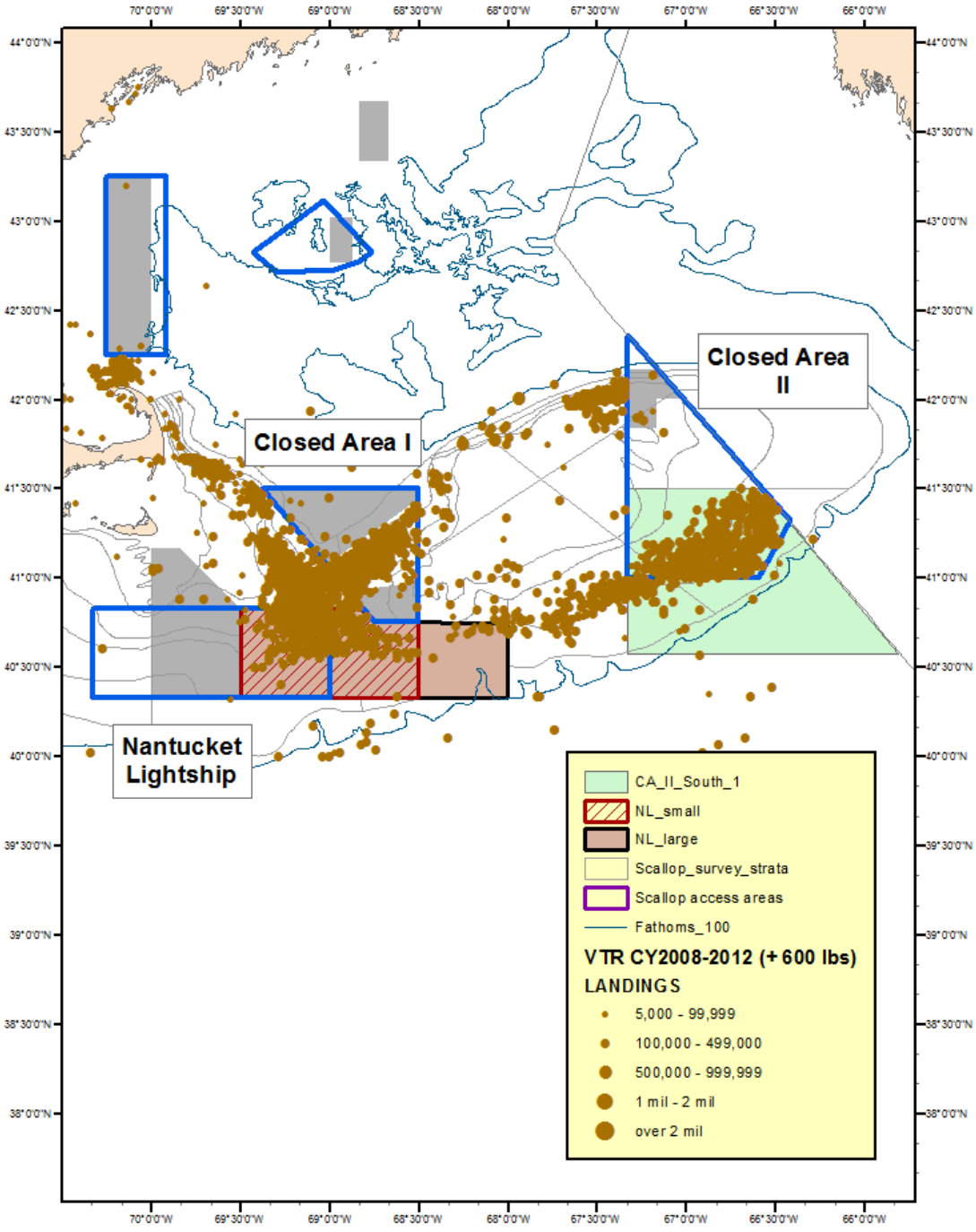
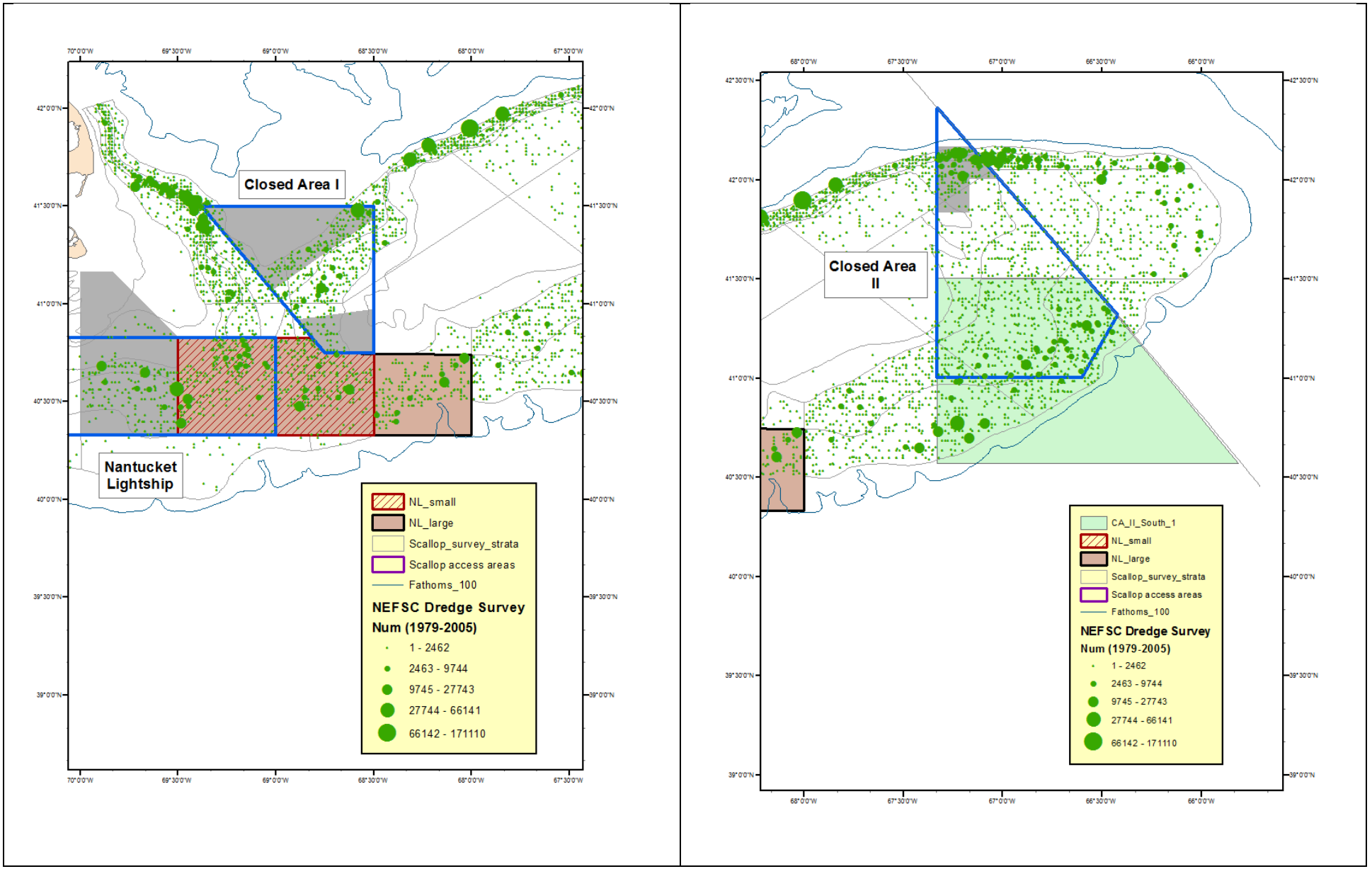


Figure 6 – Enlarged map for NL area



3.0 CONCEPT OF ALLOCATION METHOD FOR MID-ATLANTIC ACCESS AREA TRIPS

3.1 NO ACTION (LOTTERY ALLOCATION)

Under this alternative trips would be allocated to FT LA vessels similar to how trips have been allocated in the past. If there is enough biomass in a particular access area to provide one trip per vessel, each LA vessel would receive a trip in that area. However, if there is less catch available per area than the amount needed to allocate one trip per area to all LA vessels, a total number of trips would be calculated per area, and individual trips would be allocated by lottery. For example, half of the fleet would receive a trip in one area, and the other half would receive a trip from another area. The PDT calculates the total number of trips available, and if a lottery is needed, NMFS would complete the lottery and include the results as an appendix in the framework to provide more time for vessels to potentially trade trips.

In many cases, PT vessels are given a choice which access area to fish their allocated trips from, unless there is sufficient resource in an area to support one trip for the entire fleet. In recent years there has not been enough resource in a particular area to support access for the entire fleet in one area so PT vessels have been given the option to take an allocated trip from any area open to the fishery.

3.2 FLEXIBILE ALLOCATION FOR MID-ATLANTIC ACCESS AREA TRIPS

3.2.1 Option 1 – some flexibility

Vessels would be allowed to choose which area they took their AA trips in. Once the vessel declares into an area, the vessel must finish the trip in that area (i.e., any compensation trips generated from that declaration must be taken in that area).

3.2.1.1 Sub-Option 1: Limit number of trips per area

A limited number of vessels would be allowed to declare trips into each area

3.2.1.2 Sub-Option 2: Unlimited number of trips per area

Vessels can choose any area they want for any trip. There will be no limits on the number of trips into a given area.

3.2.2 Option 2 – maximum flexibility

The three MA AA areas would be combined into one area using their existing boundaries. Vessels would declare a MA AA trip and could freely fish inside all three areas on the same trip.

3.2.2.1 Sub-Option 1: Status quo for trips allocation

Vessels would be allocated X trips into the combined MA AA. Once they finished that trip they would have to return to port. They would then have to declare another MA AA trip and begin their second trip, etc. If a vessel broke a trip they would have to send in their broken trip VMS notification and request a compensation trip. Once NMFS granted the vessel a compensation trip they would have to go back out and fish the remaining pounds under a compensation declaration. Compensation trips could be combined.

3.2.2.2 Sub Option 2: Poundage allocation inside AA (full allocation or lower possession limit)

Vessels would be given a poundage allocation for all of the combined MA AA. Vessels could fish in the MA AA until they reached their full MA AA allocation for the year, or the Council could consider imposing a possession limit lower than the full allocation to help spread catch out. Allocating pounds inside an AA in this manner would require a vessel to send a preland through their VMS unit. NMFS will no longer need to grant compensation trips. NMFS will match dealer records with AA trips and pounds will be deducted from the vessel's total poundage for the MA AA. Vessels may only possess scallops up to the possession limit (if adopted) or the amount of poundage they have remaining in the area, whichever is less.

Summary of Pros and Cons

Option 1 – some flexibility

- Pro: Maintain current access area structure (i.e., trips, boundaries, broken trip provision, etc., all remain in place) – easy for NMFS to implement and more clear for historical perspective.
- Con: Potential to overfish a single access area, if no limits are put in place. Also, there is no flexibility to leave an area once they have declared a trip. Potential for increased vessel costs if catch rates are lower than projected for a particular area. More paperwork and resources needed for vessels to apply for compensation trips, and for NMFS to process compensation trip requests.

Option 2 – maximum flexibility

- Pro: This would be the most flexible option for a vessel to land its scallops on its own terms.
- Cons: Under this alternative, you would lose the ability to handle inseason monitoring of specific access areas and you lose a clear historical perspective on how and where scallops were caught. Unless a possession limit is adopted, total landings per trip could increase and potential quality issues if trips increase in length.

Initial input from NMFS related to monitoring and administration

NMFS is internally adjusting how they monitor access area trips. NMFS will be more closely monitoring pounds caught from each access area trip, and with these changes could come adjustments to how the industry currently handles their access area trips (e.g., broken trip provisions, etc.) For example, the following changes could be made:

- Vessels could be given a poundage allocation in an access area, instead of a trip allocation. For each trip, vessels could submit a preland through their VMS unit to indicate pounds caught.
- With regards to compensation trips, NMFS would not need to go through an application process to grant compensation trips. Instead, NMFS could match dealer records with AA trips and pounds and deduct pounds from a vessel's total allocation.
- NMFS's accounting of access area pounds could be available as part of the information available on Fish-on-Line.

Specific feedback requested from AP about monitoring and administration

If changes are made to improve monitoring of catch from access areas are there issues the Council should be aware of regarding the suggested modifications above? Specifically, do you support adopting a required preland report through VMS for access area trips indicating pounds caught to improve real time monitoring of access areas and to reduce paperwork needed for compensation trip applications?