

# Scallop Amendment 21

## *SUMMARY OF SCOPING COMMENTS*

### *(DRAFT)*

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**Scallop AP—May 22<sup>nd</sup>, 2019**

**Scallop Committee—May 23<sup>rd</sup>, 2019**



**New England  
Fishery Management Council**

# Doc.2a—DRAFT Summary of Scoping Comments

Today, we'll review:

- Report of oral/written comments received between late February-April 15<sup>th</sup>, 2019
  - Includes PDT input from May 9<sup>th</sup>, 2019 meeting
- Slides ordered by topics addressed in A21:
  1. **NGOM Management measures**
  2. **LAGC IFQ possession limit**
  3. **Ability of LA with IFQ to transfer quota to LAGC IFQ-only vessels**

# Counting comments

- All comments received during the scoping 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 through Amendment 21 scoping – interested parties should consult the full text of scoping meeting summaries and scoping comments, which are available on the Council’s website at this link: <https://www.nefmc.org/library/amendment-21>

# Description of Commenters

## *Oral comments:*

- 188 attendees at 10 scoping meetings (including duplicates)
- 57 individuals provided comments.

## *Written comments:*

- 24 written comments received, signed by 26 people

**Table 1. Public hearing attendance**

Location	Attendees	Speakers
Rockport, ME	45	8
Gloucester, MA	28	13
Chatham, MA	18	4
New Bedford, MA	24	11
Narragansett, RI	12	10
Riverhead, NY	4	1
Manahawkin, NJ	25	9
Cape May, NJ	6	4
Hampton, VA	18	4
webinar	8	1
<b>Total</b>	<b>188<sup>a</sup></b>	<b>57<sup>b</sup></b>

<sup>a</sup> Includes duplicates.

<sup>b</sup> Duplicates removed.

# Description of Commenters

Table 2. Primary stakeholder type of commenters

Primary stakeholder type	Oral only	Oral & written	Written only	Total
NGOM only	11	3	2	16
LA only	3	0	0	3
IFQ only	20	2	9	31
LA vessel and IFQ vessel	0	1	0	1
LA vessel with IFQ permit on same vessel	1	1	0	2
LA vessel with IFQ permit plus IFQ vessel or CPH	7	0	0	7
Shoreside support services	2	1	0	3
Fishing organization	2	2	4	8
Government	0	0	1	1
Other interested public	1	0	0	1
<b>Total commenters</b>	<b>47</b>	<b>10</b>	<b>16</b>	<b>73</b>

## Grand total:

- 81 comments received
- 73 individuals commented
- Stakeholders represent entirety of scallop fishery

# Description of Commenters

Table 4. Home state of commenters

State	Number of commenters	% of Total Commenters
ME	20	27%
MA	24	33%
RI	3	4%
NY	2	3%
NJ	15	21%
DC	3	4%
VA	3	4%
Unk.	3	4%
<b>Total</b>	<b>73</b>	<b>100%</b>

*A2I scoping meeting locations.*

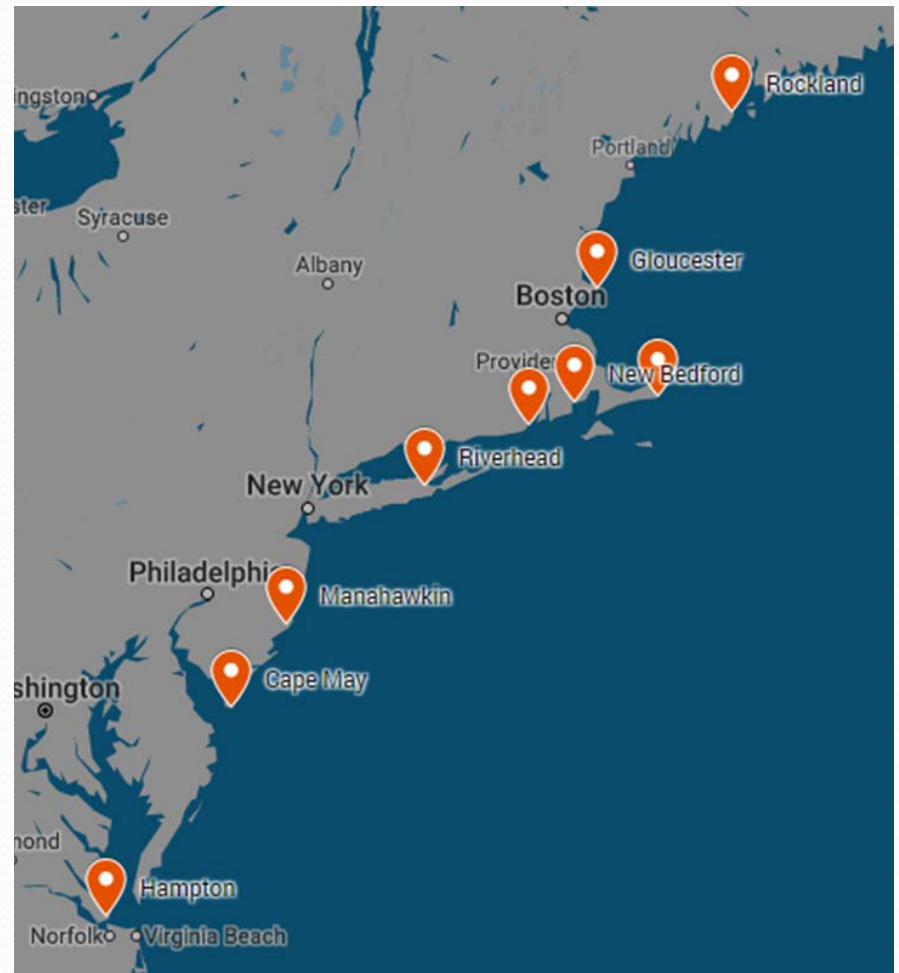


Table 5. Commenters and comments on management of the NGOM area

# NGOM Comments

- NGOM fishermen generally happy with current management measures
- Strong interest in developing RSA
- LA stakeholders support continued access in NGOM

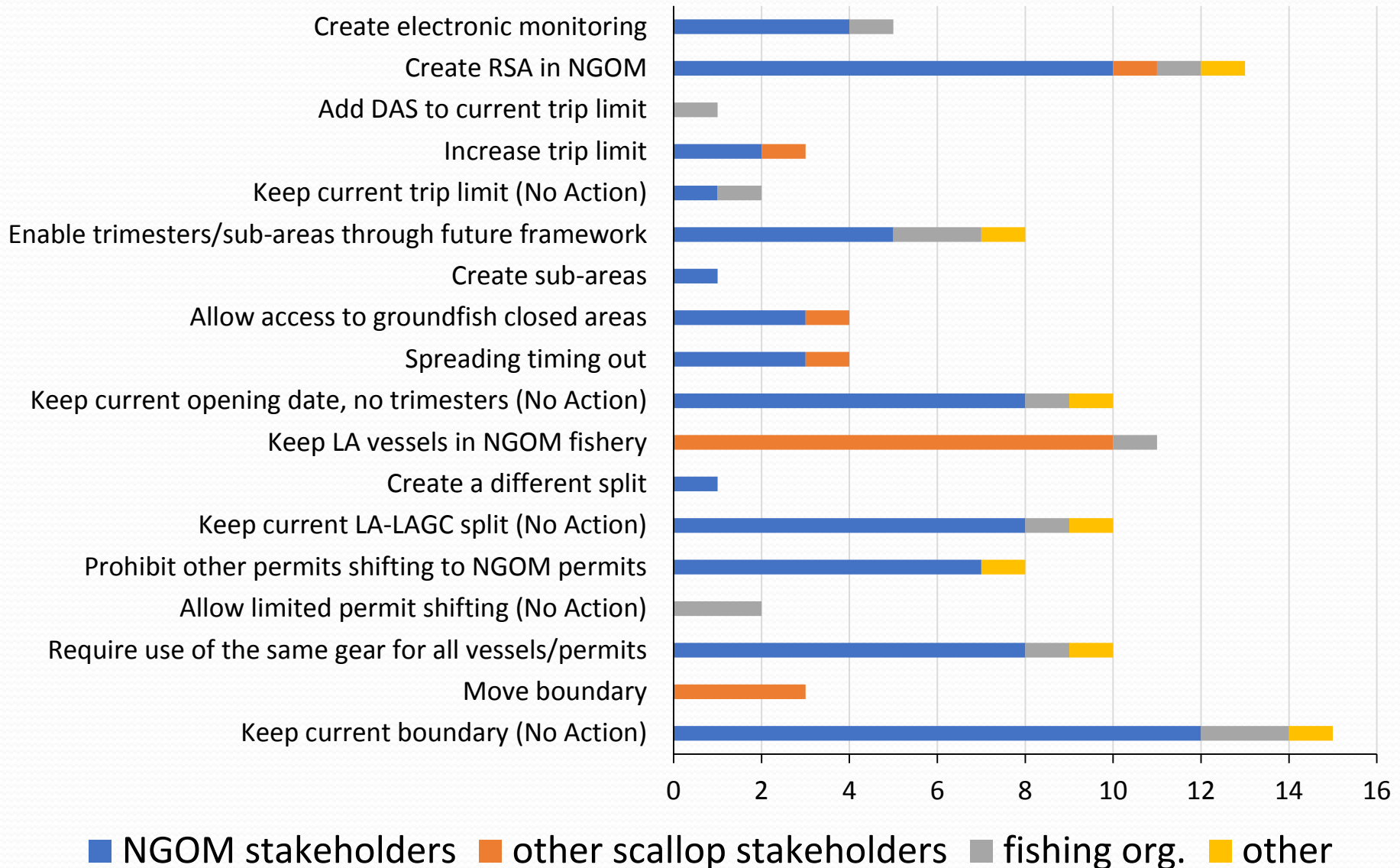
Topic		Commenters		Comments		
		Orgs. <sup>1</sup>	Individ.	Oral <sup>2</sup>	Written	Total
<b>Commented on NGOM area management</b>		<b>3(5)</b>	<b>32</b>	<b>27</b>	<b>13</b>	<b>40</b>
Boundary	Keep current border (No Action)	2	13	11	7	18
	Move border	0	3	2	1	3
Gear	Require use of the same gear for all vessels/ permits	1	9	9	4	13
Permits	Allow limited permit shifting (No Action)	2	0	1	2	3
	Prohibit other permits shifting to NGOM permits	0	8	3	6	9
Allocation (TAC split)	Keep current LA-LAGC split (No Action)	1	9	8	6	14
	Create a different split	0	1	0	1	1
	Keep LA vessels in NGOM fishery	1(3)	10	8	3	11
Time/ sub-areas	Keep current opening date, no trimesters (No Action)	1	9	9	3	12
	Spreading timing out	0	4	3	1	4
	Allow access to groundfish closed areas	0	4	4	0	4
	Create sub-areas	0	1	1	0	1
	Enable trimesters/sub-areas through future framework	2	6	4	6	10
Trip limit	Keep current trip limit (No Action)	1(3)	1	1	1	2
	Increase trip limit	0	3	3	0	3
	Add DAS to current trip limit	1(3)	0	0	1	1
Science	Create RSA in NGOM	1	12	9	7	16
	Create electronic monitoring	1	4	4	2	6
<b>Uncertain or neutral preference on NGOM</b>		<b>1</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>5</b>

Notes:

<sup>1</sup> (x) notes the number of individuals representing fishing organizations.

<sup>2</sup> If a person spoke at more than one hearing on a topic, it is counted here as one oral comment.

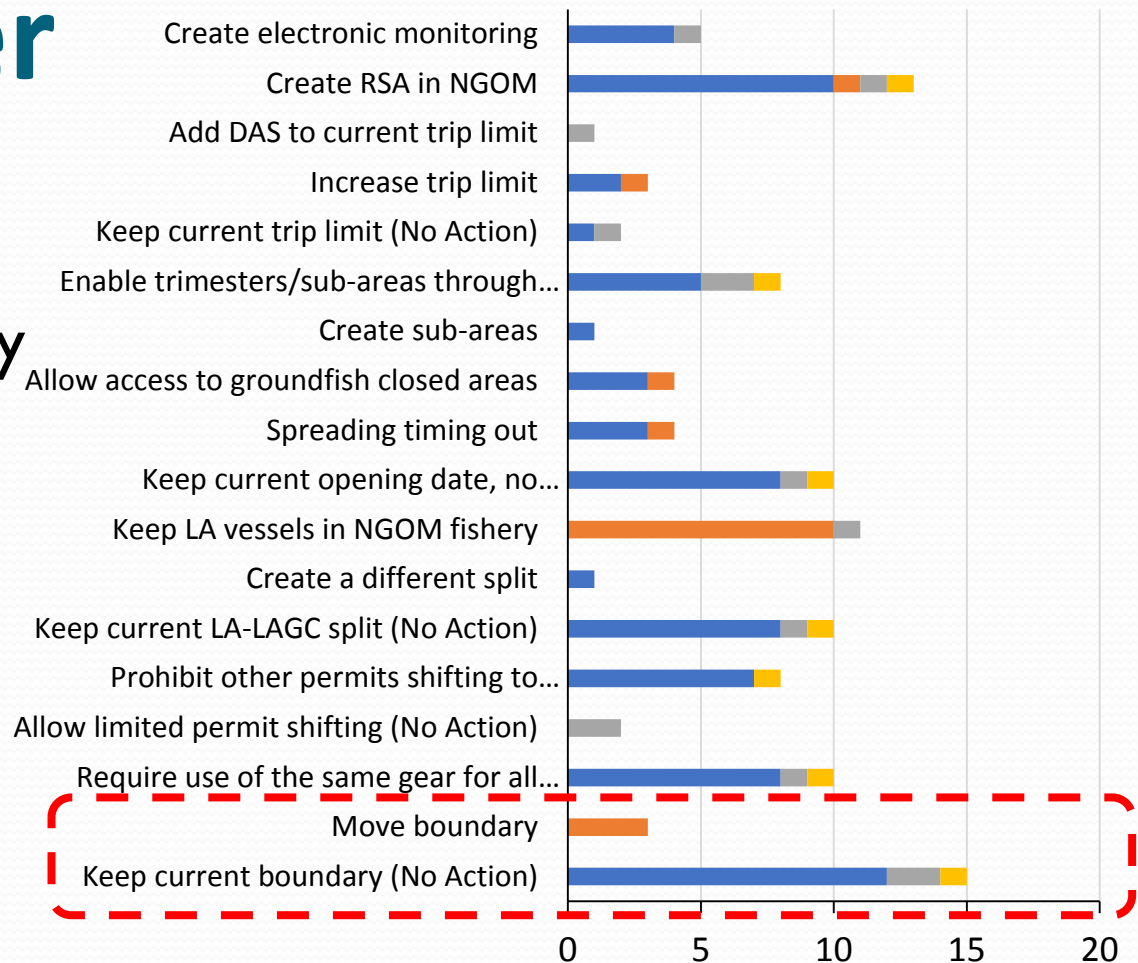
# Commenters on management of the NGOM area, by primary stakeholder type (see Table 6)





# NGOM Border

- Maintaining current NGOM boundary supported by majority (n=15 of 18)
- Some felt changing the boundary should be considered in A2I (n=3 of 18)



*“if we are going to move the line whenever there is a change in biomass distribution, we will be consistently drawing new lines in the ocean.”*

# Gear

- IO in support of consistent gear req. for all vessels fishing in NGOM

*Rationale:* unique area with unique bottom, suited for smaller dredge.

*“I support consistent gear restrictions because I believe it is fair and would provide equal access to all vessels that fish in the Northern Gulf of Maine”*

# Permit movement

- LAGC B (NGOM) or LAGC C (Incidental) permit holders can change permit category annually. LAGC A (IFQ) can permanently change to B/C.
- Concerns raised around increased participation in NGOM fishery (i.e. Incidental → NGOM permits)
  - Most supported prohibiting permit movement (n=8 of 10)
  - Others suggested limited movement, only if new entrants can be handled sustainably (n=2 of 10)
- The NEFMC considered a control date for this issue in June 2017, but did not pass the motion.

# Allocation & Access

- NGOM fisherman support current TAC split and administration (n=10)
- LA fishermen support access to NGOM in future (n=11)

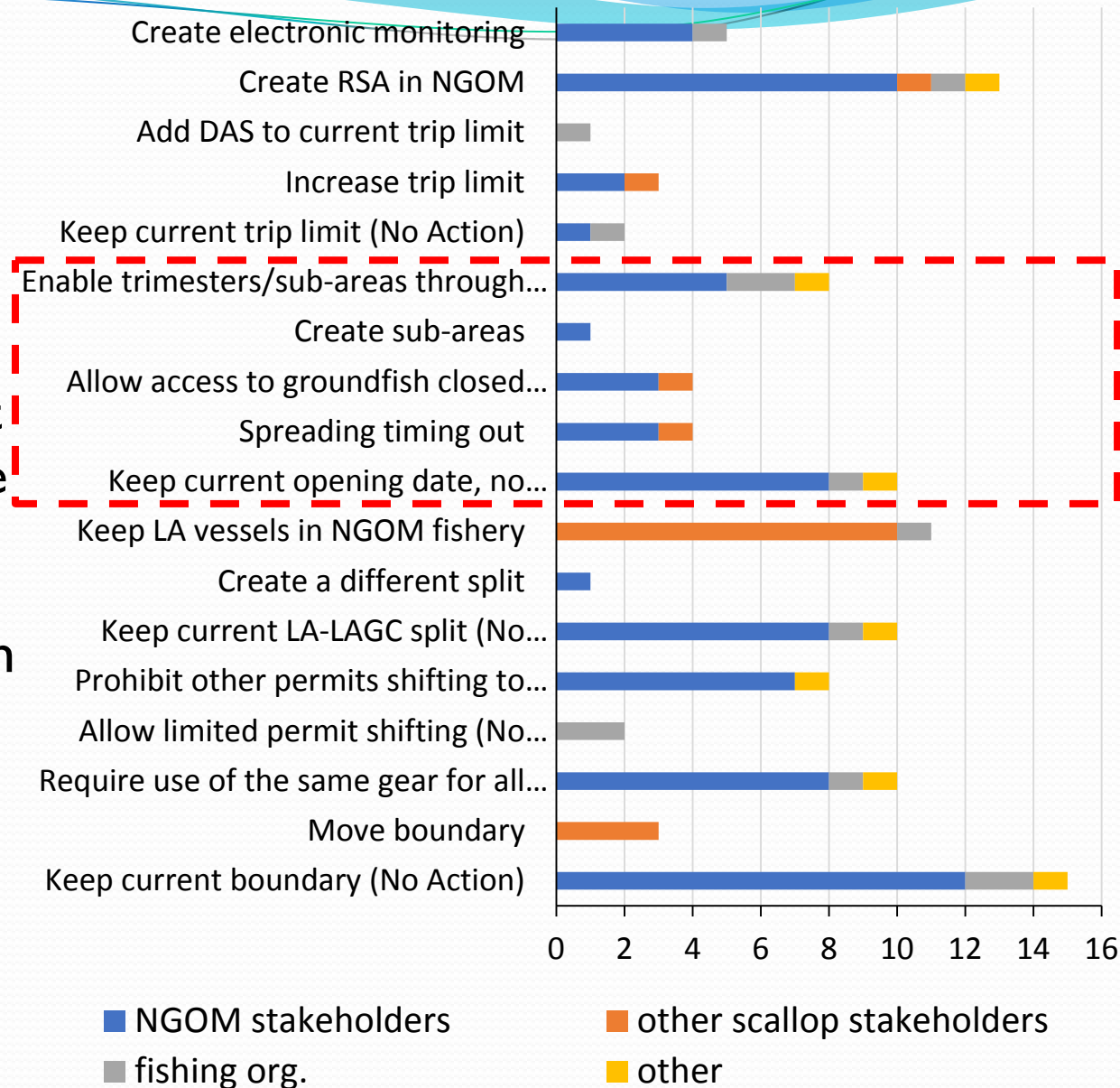
*“LA fishermen do not want to be on the outside looking in if there were to be an increase in biomass in the NGOM in the future or if resource shifts north. We have federal scallop permits that have fished in the Gulf of Maine in the past and we do not want to lose our right to fish there in the future.”*

# Other mgmt. controls

Fewer comments on:

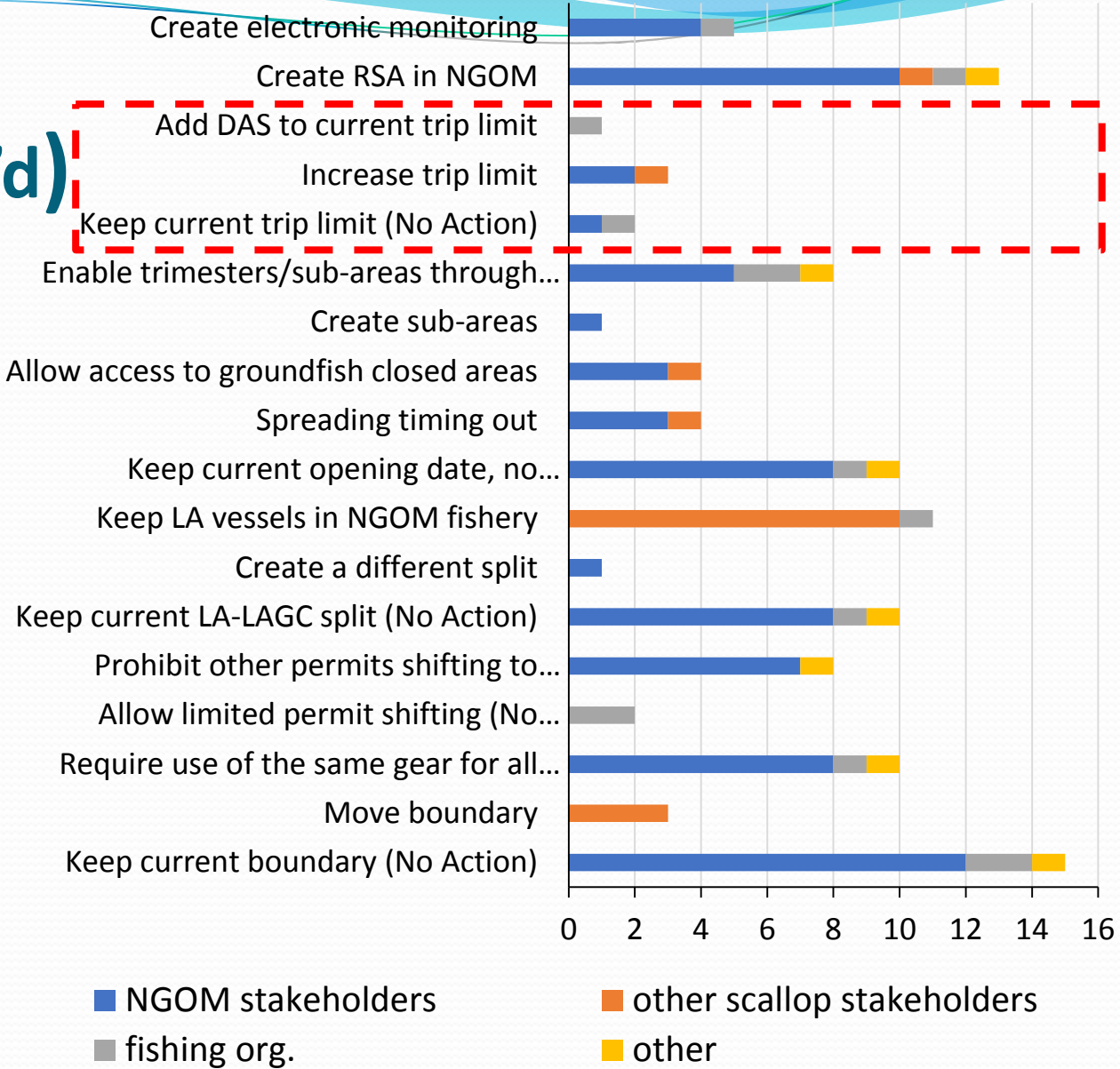
- Trimester management
- sub-area management
- changing opening date
- Interest in identifying issues that can be changed in a FW action

*Rationale:* not enough science or large enough TAC to be effective at present. Potential gear conflicts if effort spread out. Support spring scallop fishing.



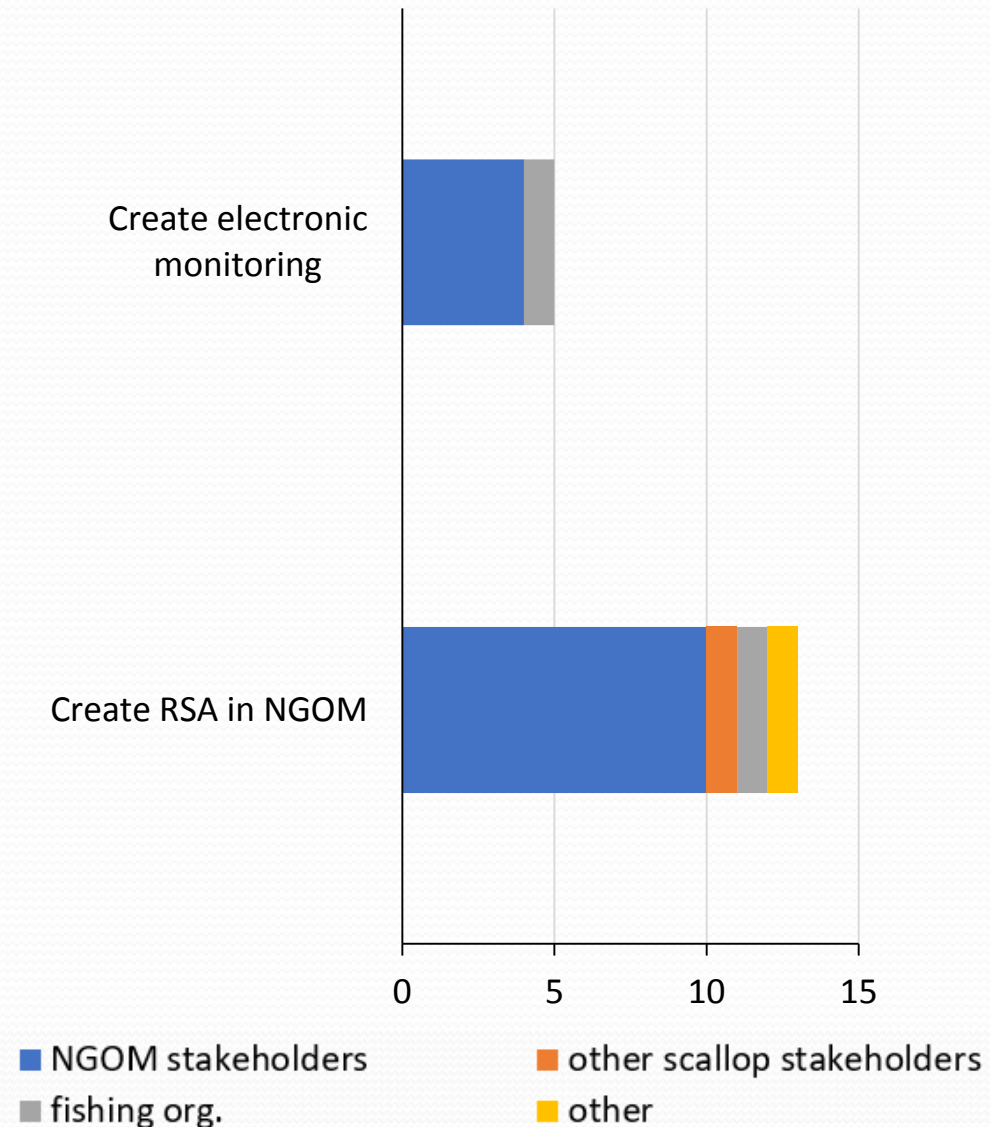
# Other mgmt. controls (cont'd)

- ~equal interest in maintaining NGOM trip limit vs increasing
- Another idea— transition NGOM permit to DAS management w/ 200 lb trip limit, fish days anywhere in resource and remove NGOM boundary



# Science and Monitoring

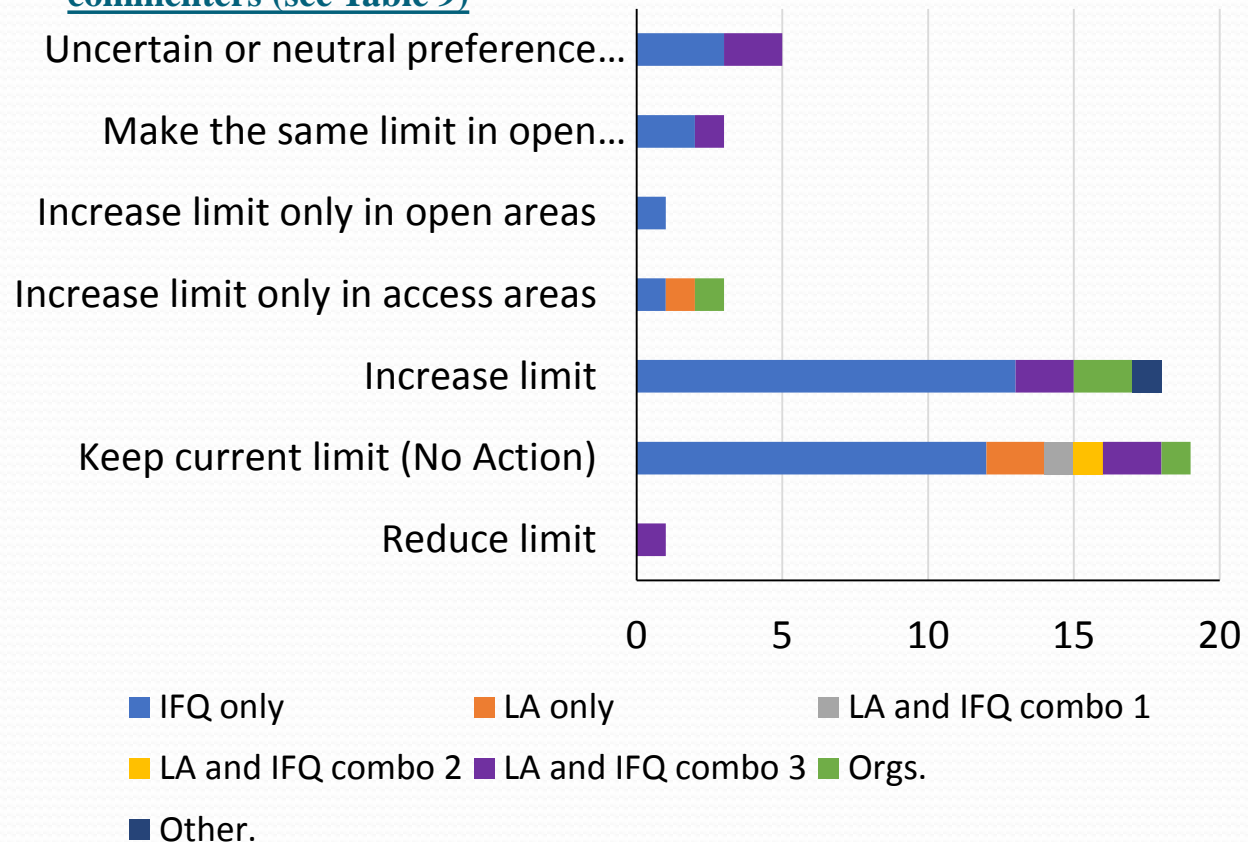
- Strong support for RSA program in NGOM  
*Rationale:* improved survey information will sustain long-term fishing opportunities.
- Several comments in support of EM program to better inform management



# LAGC IFQ trip limit comments

- Comments in support/opposition received from range of stakeholders.
- Total of **50** comments from **48** people (Table 8)

Support of LAGC IFQ possession limit ideas by primary stakeholder type of commenters (see Table 9)



1 = LA vessel and IFQ vessel  
 2 = LA vessel with IFQ permit on same vessel  
 3 = LA vessel with IFQ permit plus IFQ vessel or CPH  
 "Other" = NGOM only, shoreside support, other interested public.

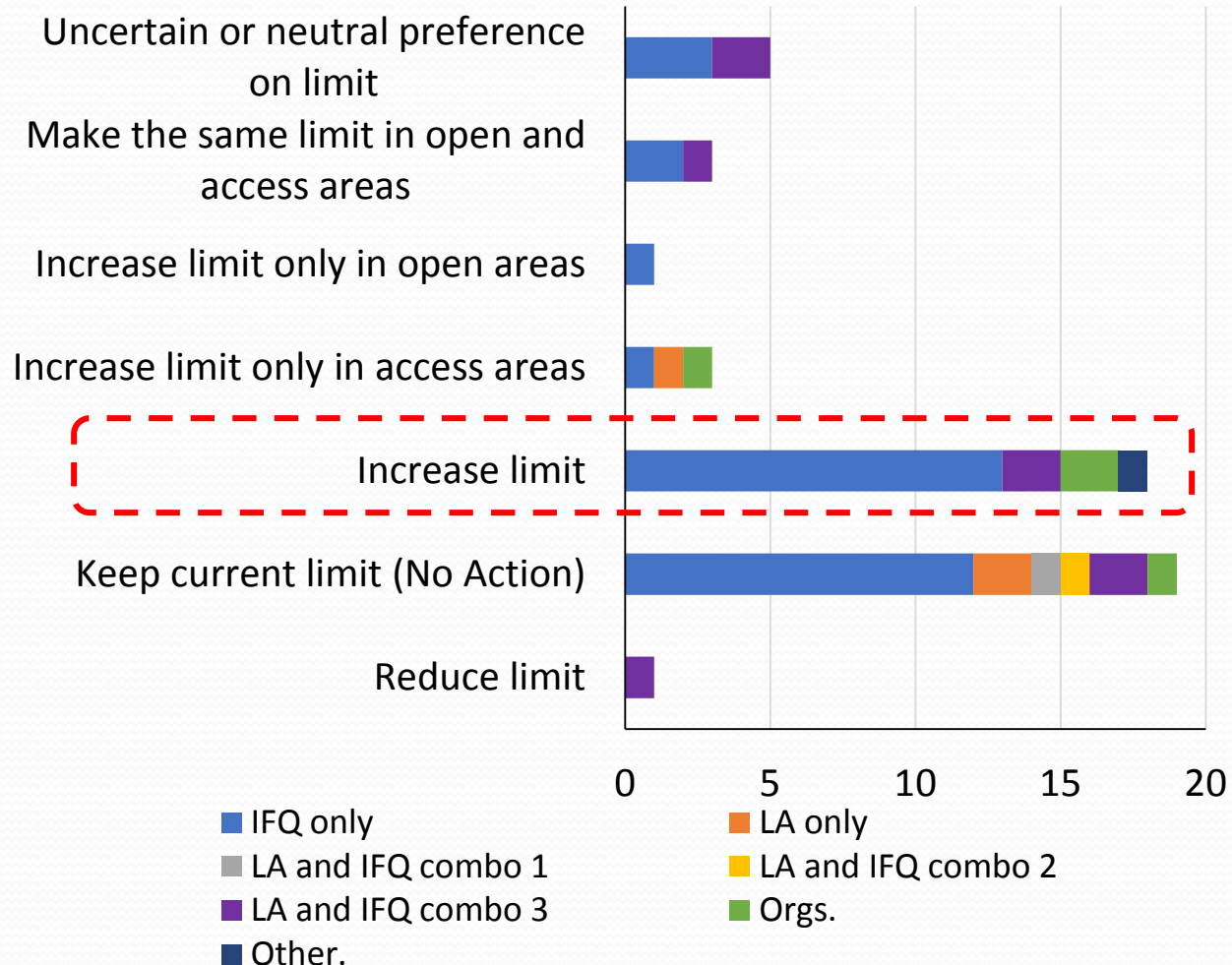


# Comments supporting increase

- 18 commenters for increased LAGC IFQ limit

## Rationale:

- Reduce number of trips
- lower operating costs (i.e. burn less fuel)
- Safety
- Better monitoring and enforcement coverage
- Ability to fish farther off shore—give inshore a break



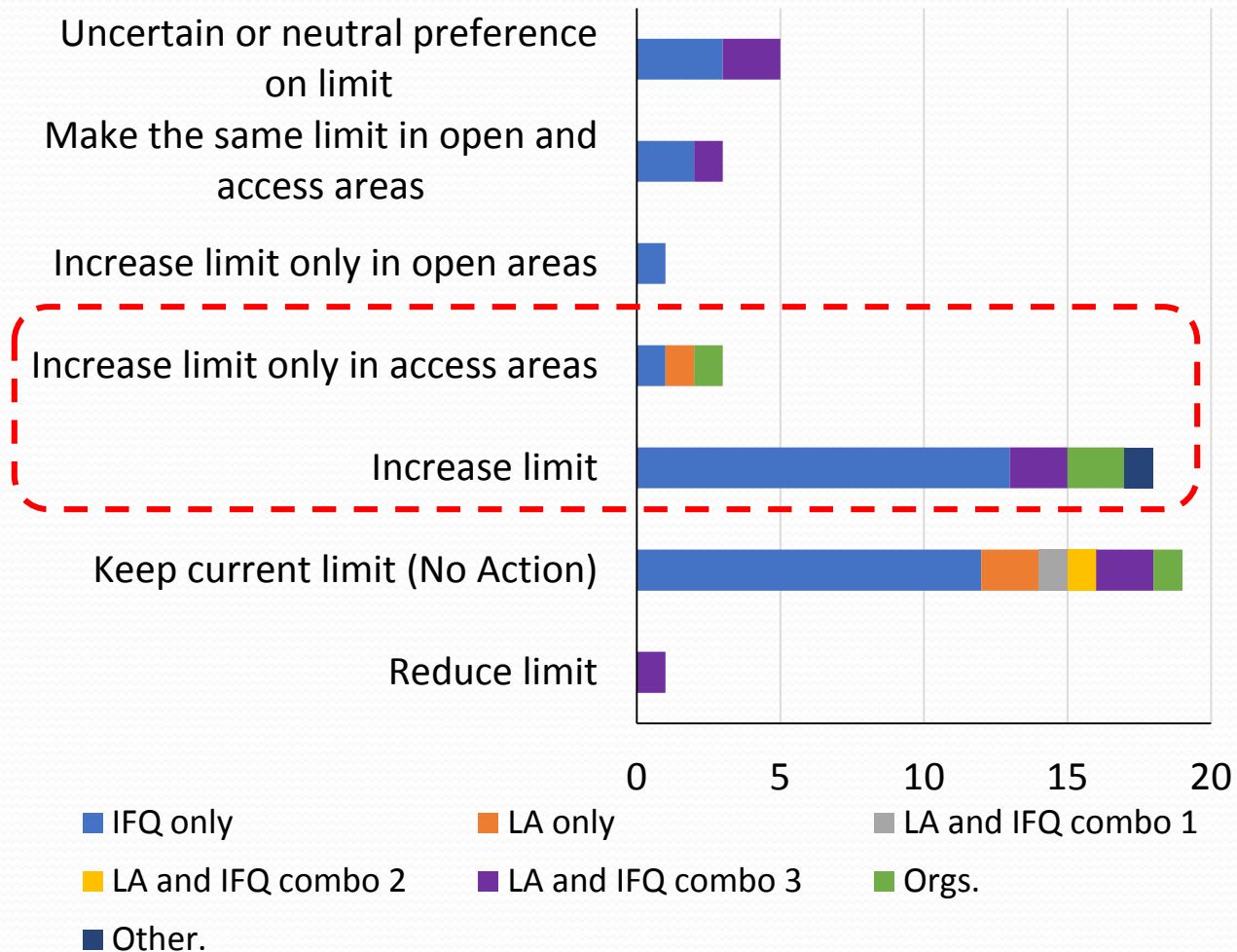
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# Comments supporting increase

- Also some support for increasing limit in AAs

## Rationale:

- Lots of steaming to fish AAs, higher limit would offset fuel costs



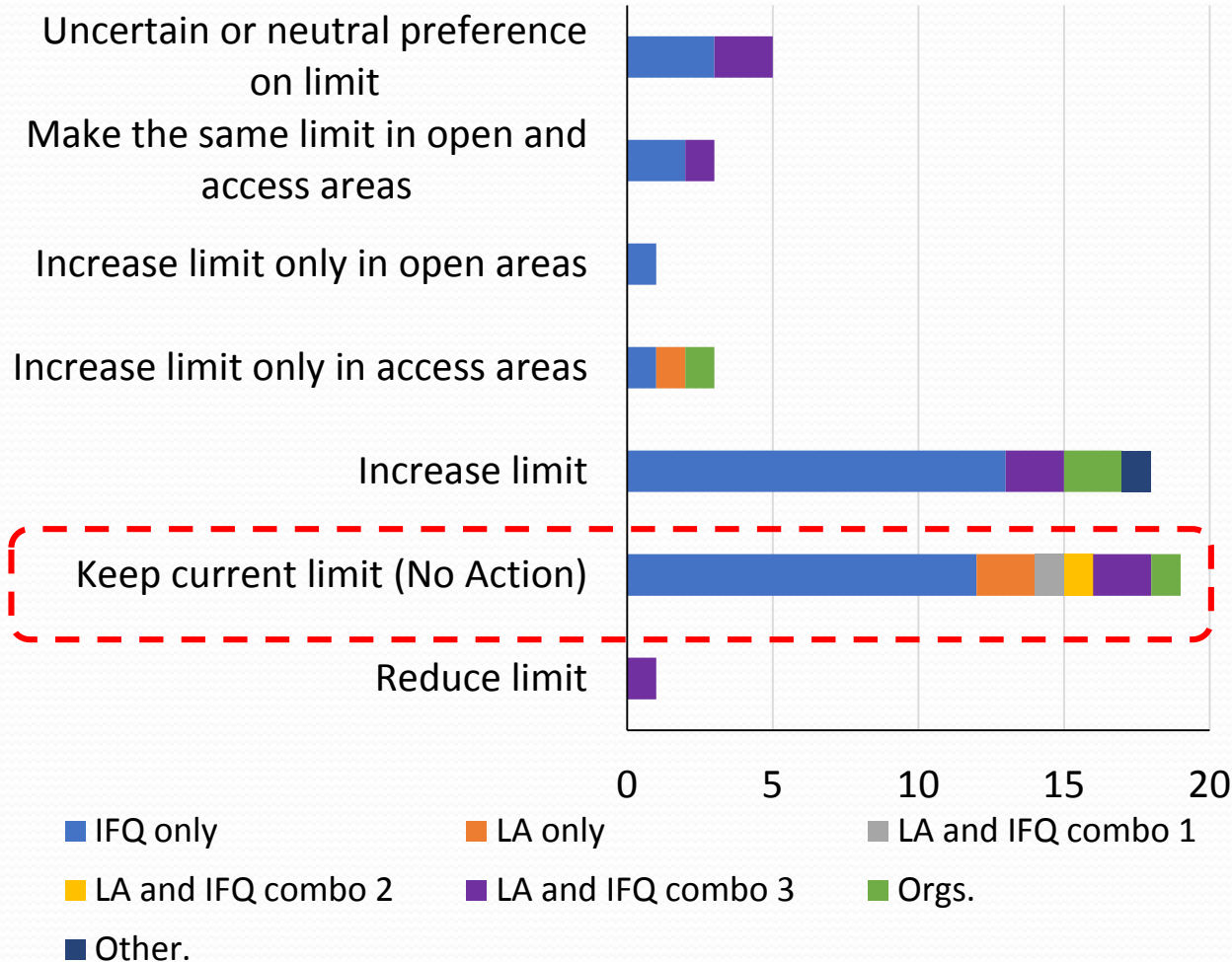
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 "Other" = NGOM only, shoreside support, other interested public.

# Comments supporting current trip limit

- 19 commenters supporting current 600-pound limit

## Rationale:

- Longer trips cause:
  - Safety issues
  - Product quality issues
  - Increased insurance costs
  - Inconsistent availability of 'dayboat' product
- No longer 'dayboat' vision (All)

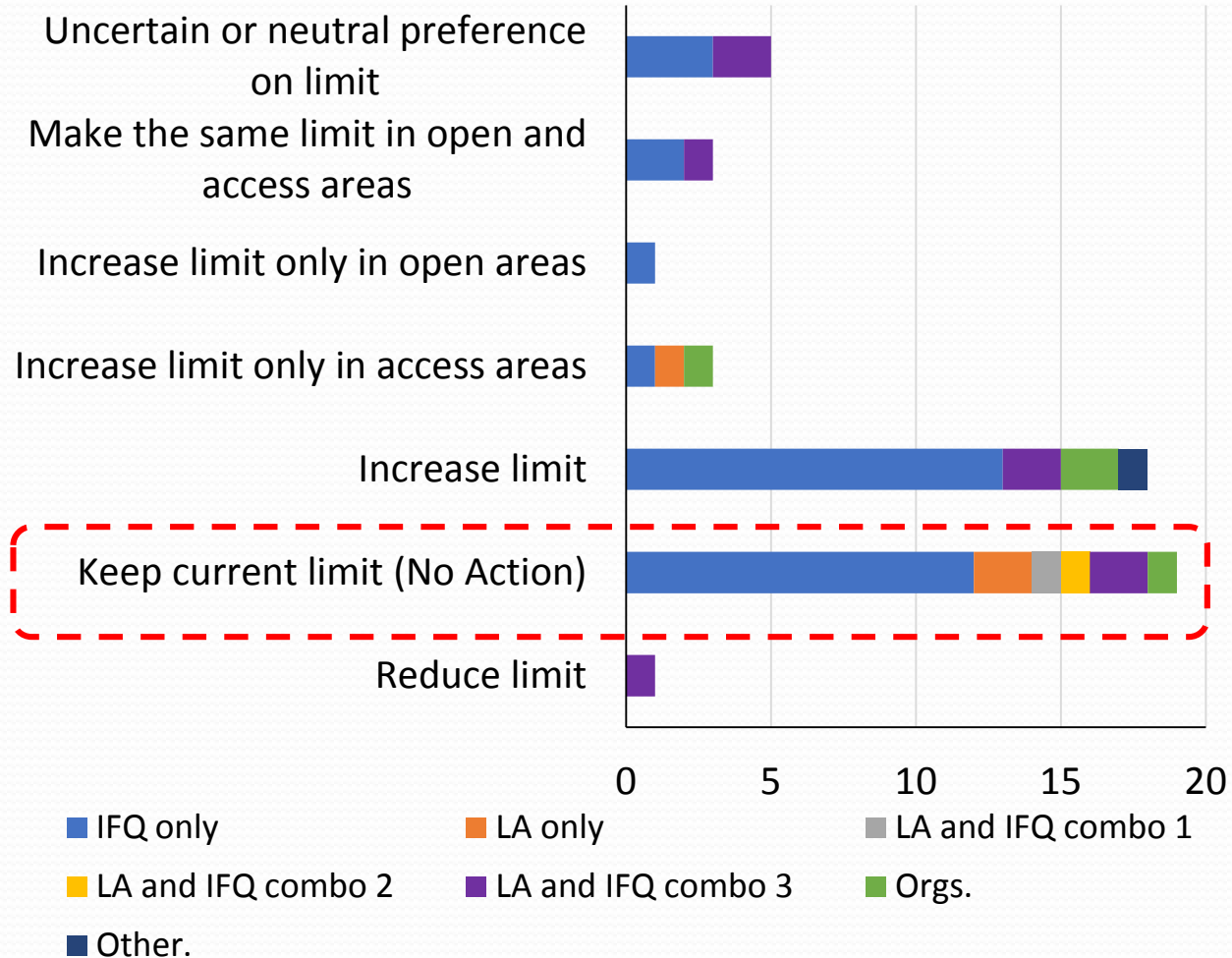


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 "Other" = NGOM only, shoreside support, other interested public.

# Comments supporting current trip limit

## Rationale (cont'd.):

- Higher lease prices
  - Negative impact to fishermen reliant on leasing
  - Benefit for [non-fishing] quota holders
- Concerns of effort shifting to other fisheries that can't support it (i.e. fluke/squid/BSB)—mostly southern stakeholders
- Concerns of continued consolidation

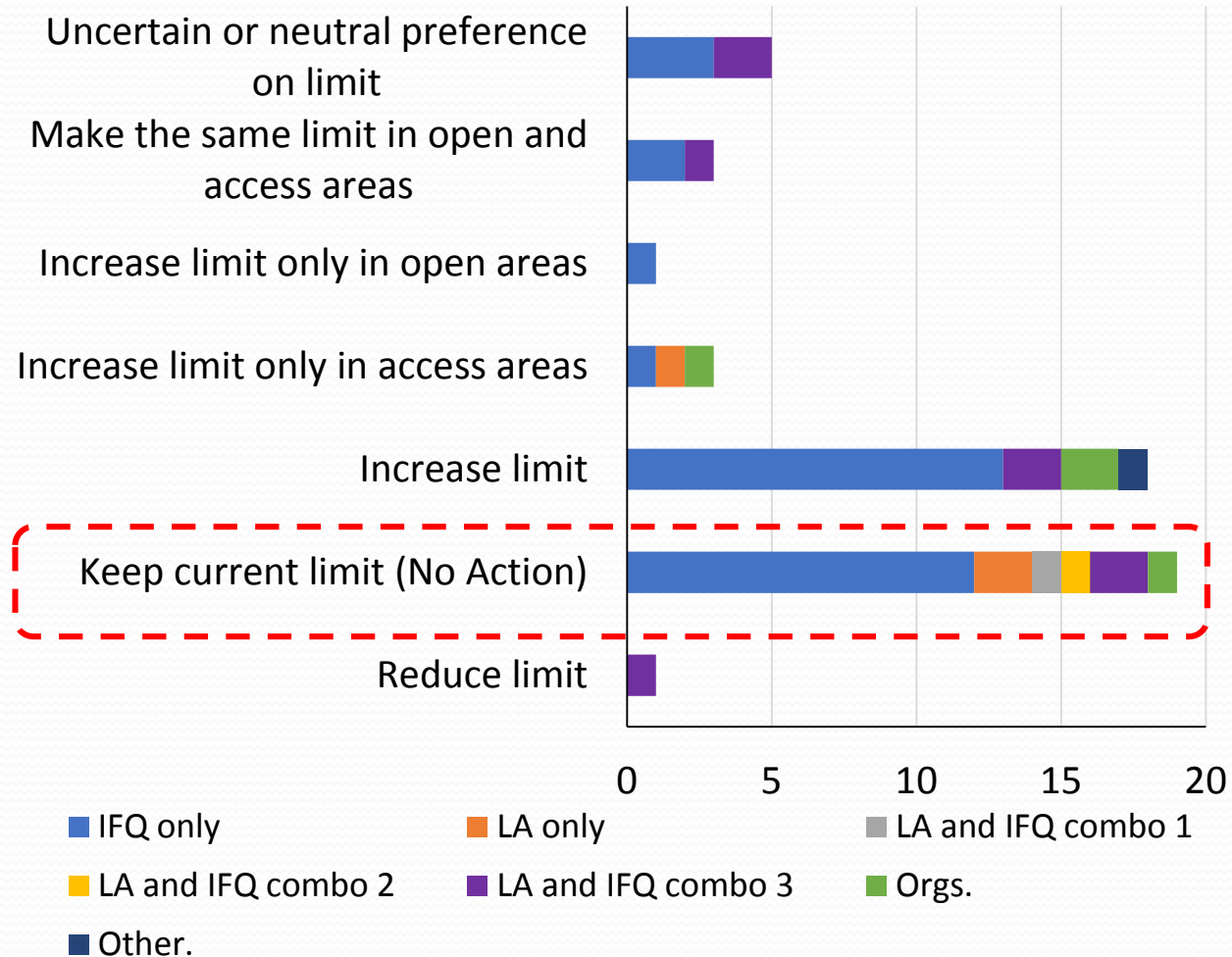


1 = LA vessel and IFQ vessel  
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 3 = LA vessel with IFQ permit plus IFQ vessel or CPH  
 "Other" = NGOM only, shoreside support, other interested public.

# Comments supporting current trip limit

## Rationale (cont'd.):

- Scallop FMP built around mutual inefficiencies, why are we trying to make LAGC IFQ component more efficient?



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 2 = LA vessel with IFQ permit on same vessel  
 3 = LA vessel with IFQ permit plus IFQ vessel or CPH  
 "Other" = NGOM only, shoreside support, other interested public.

# Trip limit comments by state

- Support for higher limit mostly from Massachusetts stakeholders (9)
- Support for 600-pound limit mostly from New Jersey (7) Massachusetts (5)
- ‘Unknown’ were anonymous comments...

Table 10. Support of LAGC IFQ possession limit ideas by home state, scallop fishery only.

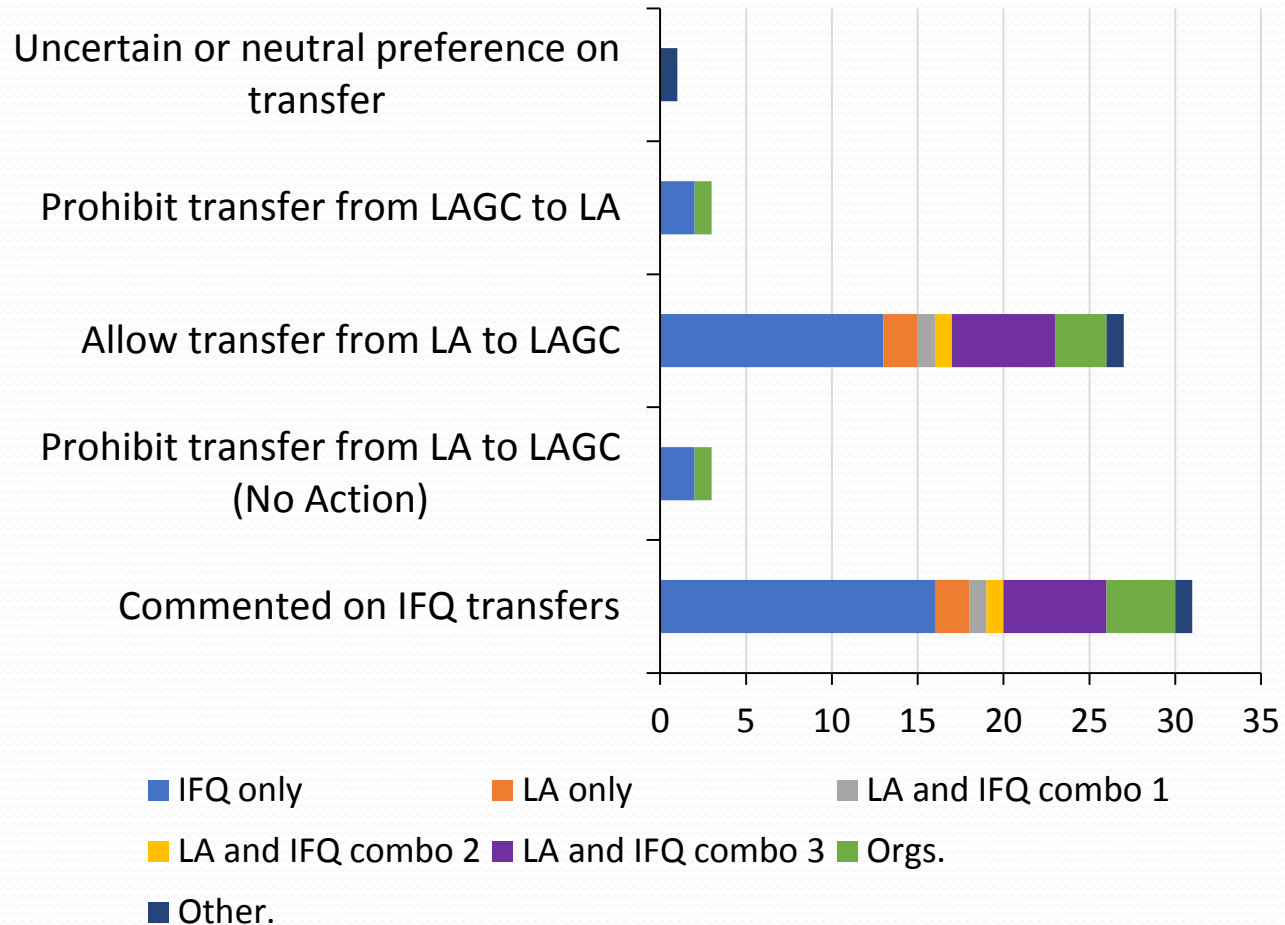
Topic	ME	MA	RI	NY	NJ	VA	Unk.	Total scallopers
<b>Commented on LAGC IFQ possession limit</b>	<b>2</b>	<b>16</b>	<b>2</b>	<b>2</b>	<b>14</b>	<b>2</b>	<b>3</b>	<b>41</b>
Reduce limit	0	0	0	0	1	0	0	1
Keep current limit (No Action)	0	5	2	0	7	2	2	18
Increase limit	1	9	0	1	2	1	1	15
Increase limit only in access areas	0	1	1	0	0	0	0	2
Increase limit only in open areas	0	1	0	0	0	0	0	1
Make the same limit in open and access areas	0	0	0	1	1	1	0	3
<b>Uncertain or neutral preference on limit</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>5</b>
<b>Total scallopers</b>	<b>2</b>	<b>18</b>	<b>3</b>	<b>2</b>	<b>15</b>	<b>3</b>	<b>3</b>	

# Other considerations re: trip limit

- Maintain current pace of fishery at higher trip limit:
  - Consider weekly(aggregate) possession limit
  - Create tiered limit, require lay-over time in port
  - Create vessel capacity restrictions.
  - Control lease prices
- Adjust observer compensation for longer trips (currently covered for 1 day)
- Account for access area fishing in pounds (not trips)
- Analyze impacts of Amendment 11 before proceeding
  - PDT response: IFQ program review completed in 2017

# LA with IFQ one-way quota transfer

- 31 commenters on ability of LA vessels with IFQ to transfer to LAGC IFQ-only
- Vast majority in support of one-way transfer



1 = LA vessel and IFQ vessel  
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 3 = LA vessel with IFQ permit plus IFQ vessel or CPH  
 "Other" = NGOM only, shoreside support, other interested public.

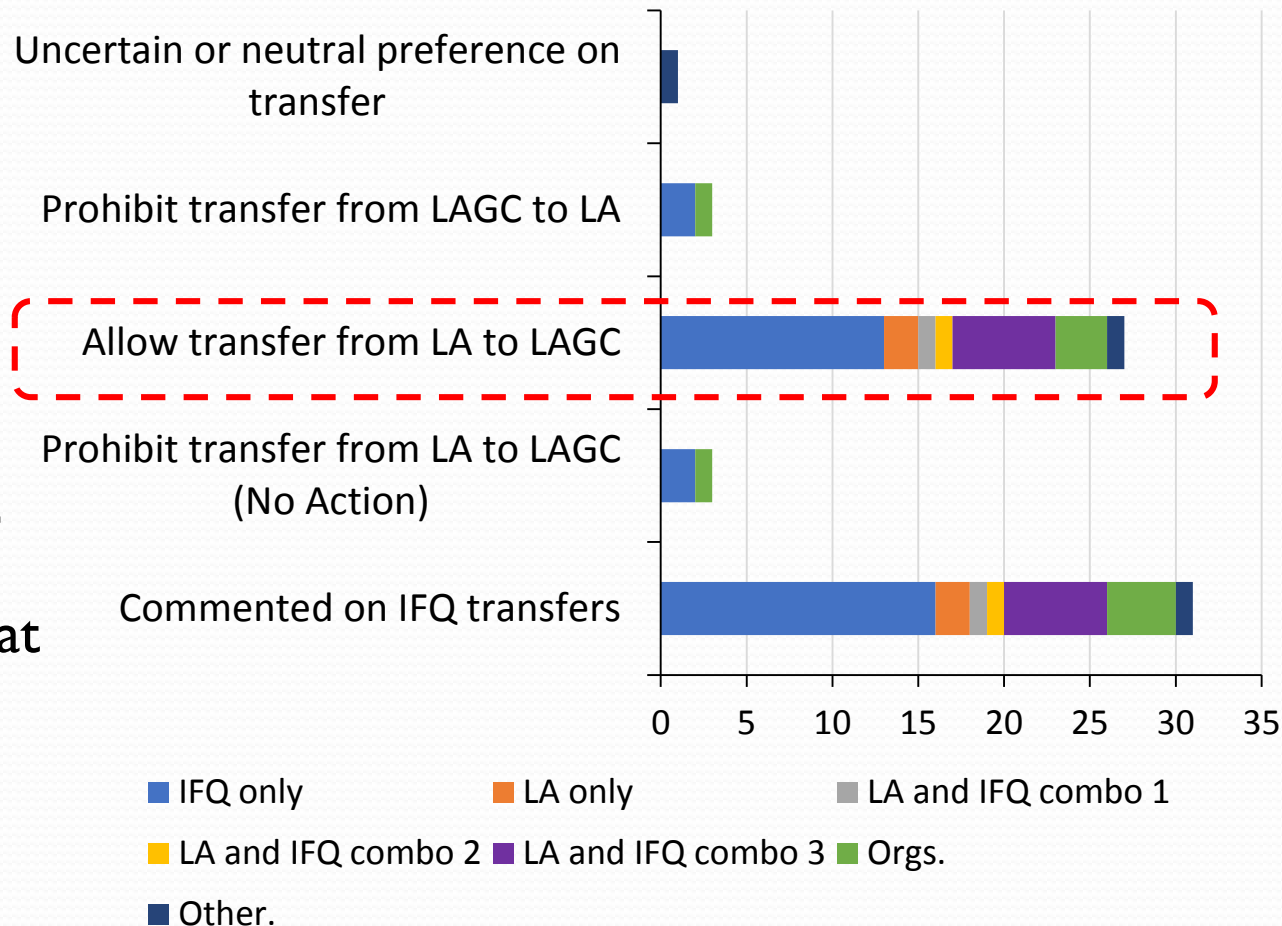


# Support for one-way transfer

- 27 of 31 in support of one-way transfer
- Many suggest temporary and permanent be considered

## Rationale:

- Provide more opportunity for LAGC IFQ vessels
- May keep lease prices at bay
- Ensure that quota is fished (i.e. in case of breakdown, etc.)
- Bring new entrants into fishery



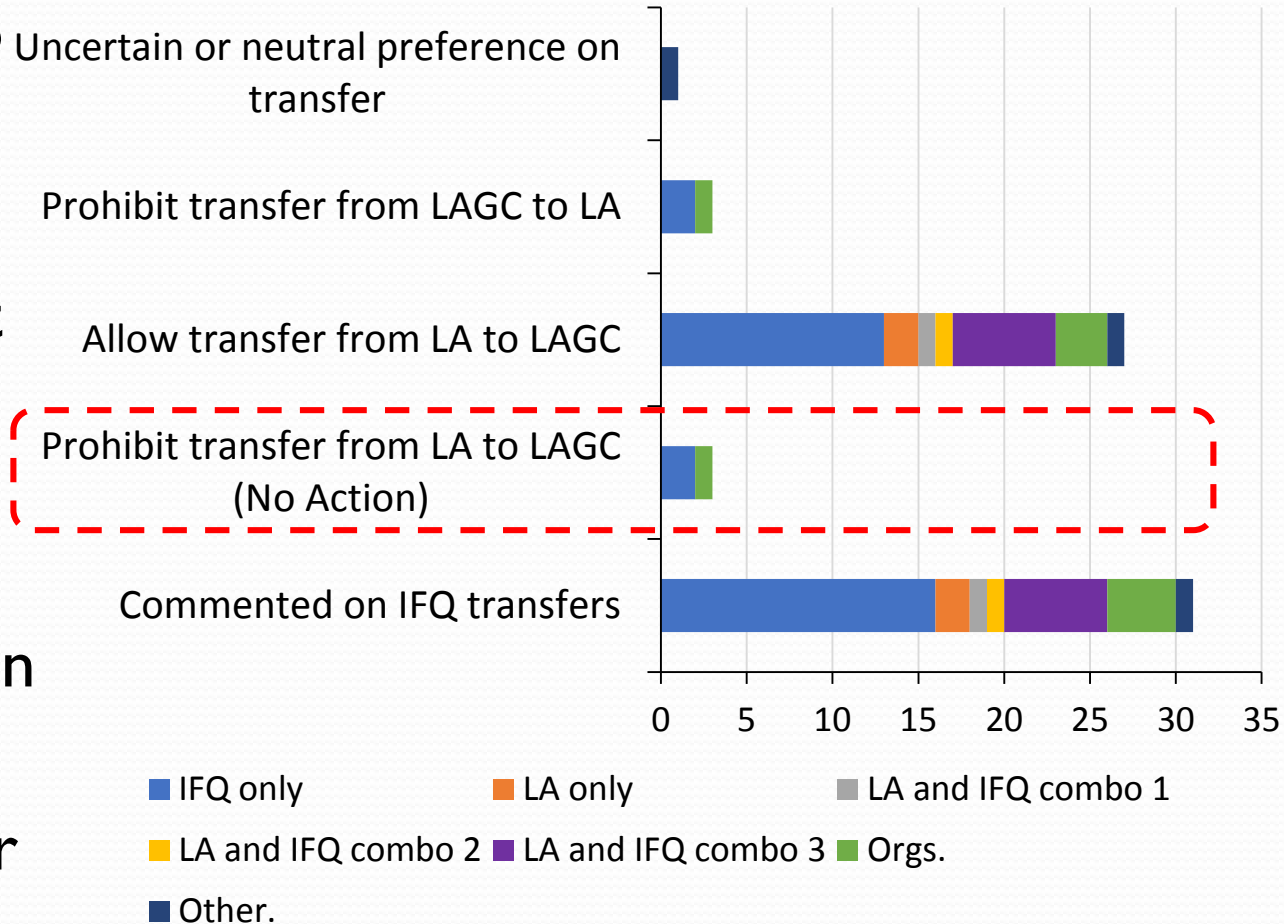
1 = LA vessel and IFQ vessel  
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 "Other" = NGOM only, shoreside support, other interested public.

# Opposition to one-way transfer

- 3 of 31 opposed to one-way transfer

## Rationale:

- Would only benefit LA owners
- Quota may not be available to LAGC fleet (i.e. kept within fishing business)
- If anything, consider only temporary transfers



1 = LA vessel and IFQ vessel  
 2 = LA vessel with IFQ permit on same vessel  
 3 = LA vessel with IFQ permit plus IFQ vessel or CPH  
 "Other" = NGOM only, shoreside support, other interested public.

# Comments on scoping process

- 5 comments (3 anonymous) that some fishery stakeholders are intimidating others from providing input on the LAGC trip limit increase
- Analyze economic impacts of AI I before proceeding—concern that fishery now benefits a small number of “winners.”
- Compliment to CTE Chair/Staff for visiting stakeholders while scoping

# Other comments less related to A21

- LAGC IFQ vessels should be able to request a waiver to be able to fish for scallops in state waters without using quota while keeping a federal permit on the vessel.
- Concern for the continued viability of the fishery due to offshore wind development.
- The NEFMC should be helping reduce costs to enter the fishery.
- Support for NOAA expanding the dredge exemption areas to allow vessels to target scallops in high density areas and reduce tow times.
- Concern that the observer system does not favor day-vessels.



**Questions?**