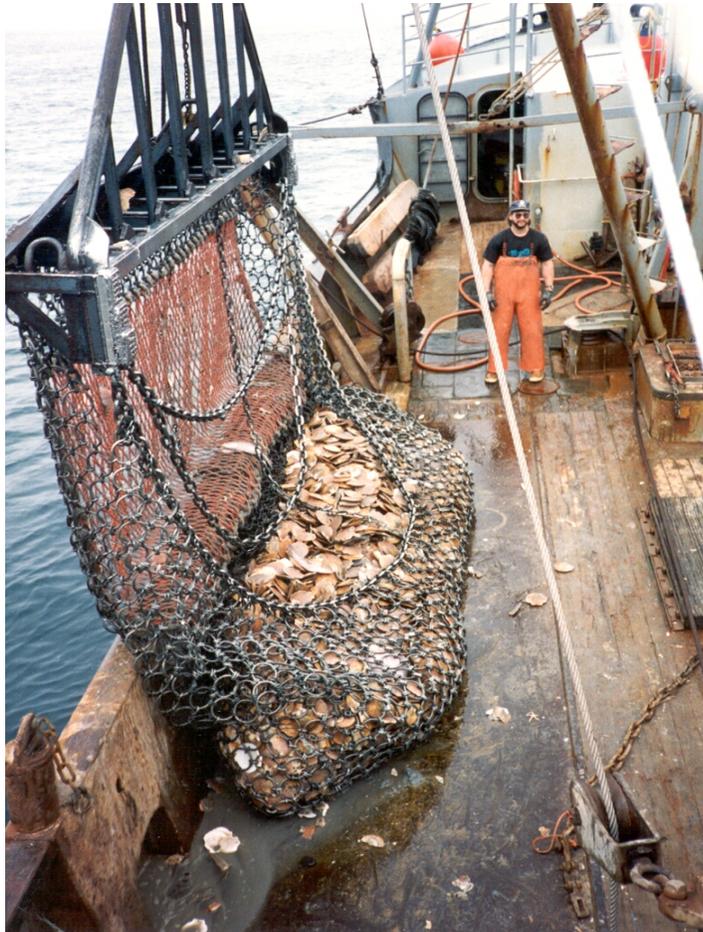


A Brief Overview of the Alaska Weathervane Scallop Fishery and the Vessel Permit Limited Entry Program



CFEC Report 07-2N
February 2007
Prepared by Nancy Free-Sloan

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Passage of the vessel permit system bill (CSHB206 (RLS) am S) during the 2002 legislative session authorized creation of a vessel-based limited entry program in the statewide weathervane scallop and Bering Sea hair crab fisheries. Under AS 16.43.450-520, the current vessel permit system will expire on December 30, 2008 unless statutory authority is extended. Introduced in the 25th Alaska Legislature in January, 2007, House Bill 16 would extend the existing vessel permit system until December 30, 2013.

This briefing report has been prepared for the Alaska Legislature to review the statewide weathervane scallop vessel entry permit program. The report provides a brief history of the fishery. The history includes development of North Pacific Fishery Management Council's Fishery Management Plan for the Scallop Fishery off Alaska, the federal vessel moratorium in the exclusive economic zone, the state vessel moratorium in Alaska waters, the federal permanent license limitation program in the exclusive economic zone and the state vessel permit limited entry program. The report also provides an analysis of vessel participation and harvest figures in both fisheries before restricted access and in the years following restricted access.

Cover Photo: A typical Alaska scallop dredge. Courtesy of Alaska Department of Fish and Game

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Alaska Weathervane Scallop Fishery

Alaskan weathervane scallop *Patinopecten caurinus* fishing grounds off Alaska lie in state waters and in waters of the federal Exclusive Economic Zone (EEZ).¹ Weathervane scallops are the largest scallops in the world and currently the only scallop species targeted for commercial harvest in Alaska. Most of the commercial Alaska weathervane scallop resource is sold to domestic markets.

Commercial fishing for weathervane scallops occurs in the Gulf of Alaska, Bering Sea and Aleutian Islands. Scallops are usually found on the continental shelf in elongated sand, silt or clay “beds” at depths of 120 to 750 feet that are oriented in the direction of the prevailing currents. Commercial scallop beds are located in the vicinity of Yakutat, Kayak Island at the southeast end of Prince William Sound, Kamishak Bay in lower Cook Inlet, the east side of Kodiak Island, Shelikof Strait, the south side of the Alaska Peninsula, Umnak Island in the eastern Aleutian Islands and north of Unimak Island in the Bering Sea. The regulatory fishing season runs from July 1 to February 15 in all registration areas except in Cook Inlet, where the season is August 15 to October 31 in the Kamishak district.² In all other districts of Cook Inlet, fishing occurs on an exploratory basis only. The season for exploratory fishing within Cook Inlet runs from January 1 through December 31.

Background

The commercial scallop fishery in Alaska began in 1967 with two vessels harvesting weathervane scallops from fishing grounds off the east side of Kodiak Island. The fishery expanded to the Yakutat area in 1968 with a total of 19 vessels participating. Further expansion to the Alaska Peninsula occurred in 1975, to Cook Inlet in 1983, to the Bering Sea in 1987, and to Prince William Sound in 1992. The rapid expansion of this fishery was due in large part to declining catches of scallops on the east coast of the United States and Canada.

The scallop fishery changed during the early 1990s as vessels converted from icing to freezing of shucked product. The fishery changed from a short trip fishery to a long trip fishery with fewer deliveries. By 1996, all vessels in this fishery had been converted to catcher-processors capable of producing frozen products at sea.³

The Alaska Department of Fish and Game (ADF&G) was responsible for management of the fishery, defining specific areas, gear and reporting requirements. Due to the absence of a federal fishery management plan (FMP), ADF&G extended their jurisdiction into the EEZ as allowed by the Magnuson Fishery Conservation and Management Act.⁴

¹ Waters under state jurisdiction include internal waters and 0 to 3 miles from the baseline of the territorial sea. The EEZ is contiguous to the territorial sea and extends seaward from 3 to 200 miles from the baseline.

² ADF&G Special Publication No. 05-09. *Commercial Fisheries of Alaska, Scallop Fishery, June 2005.*

³ Barnhart, J.P. (2000). *Annual Management Report for the Weathervane Scallop Fisheries of the Westward Region, 1999/00.* Pages 262-300. ADF&G, Div. of Commercial Fisheries, Regional Information Report No. 4K00-55, Kodiak.

⁴ Major amendments, including the Sustainable Fisheries Act, were enacted on October 11, 1996. The Act was retitled the Magnuson-Stevens Fishery Conservation and Management Act. The Act was recently revised and reauthorized.

From 1967 through mid-May 1993, passive management measures were employed by ADF&G. Crab species and habitat were protected by establishing fishing seasons and closing area waters when necessary to protect stocks. When catches of scallops declined in one area, vessels would move on to other exploitable beds. An influx of larger, more efficient vessels in the early 1990s led to increased harvests and changed the low-intensity nature of the fishery. As a result of increased effort and fleet efficiency, harvest levels nearly tripled from those of years prior to 1990. Amid concerns about crab bycatch and overharvest of the scallop resource, on May 21, 1993, the Commissioner of ADF&G declared the scallop fishery a “high impact emerging fishery”. This State of Alaska designation applies to a fishery when at least one of four conditions are met: (1) harvesting effort recently increased beyond a low sporadic level; (2) the resource is harvested by more than one user group; (3) harvests approach levels that may not be sustainable; or (4) the Alaska Board of Fisheries (BOF) has not developed comprehensive regulations to address conservation and allocation issues. In 1993, ADF&G determined the scallop fishery fit the classification. Under 5 AAC 39.210, ADF&G was required to close the fishery and implement an interim management plan with associated regulations prior to reopening.

On June 17, 1993, the commissioner adopted the regulations and opened the fishery. The state fishery interim management plan required 100% observer coverage, a limit of 12 crew members per vessel, a ban on the use of automatic shucking machines, crab bycatch limits, dredge gear specifications and limits on the number of dredges to be deployed per vessel (a maximum of one or two depending on the area). Critical to sustained management of the fishery was the establishment of scallop guideline harvest ranges (GHRs). In March, 1994, the Alaska Scallop Fishery Management Plan (5 AAC 38.076) was adopted by the Alaska Board of Fisheries (BOF).⁵

Until early 1995, all vessels participating in the Alaska weathervane scallop fishery were licensed under the laws of the State of Alaska. The state had jurisdiction over scallop fishing in both state and federal waters for vessels licensed under Alaska laws. In January 1995, the captain of an unlicensed scallop fishing vessel elected to return his scallop interim use permit card to the State of Alaska Commercial Fisheries Entry Commission (CFEC or commission) in Juneau. With an unlicensed vessel and no interim use permit, the skipper proceeded to harvest scallops in the EEZ, ignoring not only harvest limits, but observer coverage and other management regulations as well. The unregulated action by this vessel and skipper resulted in closure of federal waters in the EEZ to scallop fishing by National Marine Fisheries Service (NMFS) emergency order (EO) from February 23, 1995, until May 30, 1995.⁶ The initial EO was extended an additional ninety days to August 28, 1995. Prior to the August expiration of the EO, North Pacific Fishery Management Council (NPFMC) submitted a proposed fishery management plan (FMP) under the Magnuson-Stevens Act that would close the EEZ to scallop fishing for a maximum of one year (August 28, 1995-August 28, 1996). The proposed FMP was approved by NMFS on July 26, 1995.

⁵ NPFMC (North Pacific Fishery Management Council) *Stock Assessment and Fishery Evaluation Report for the Weathervane Scallop Fishery Off Alaska*, March 2006.

⁶ Although the EEZ was closed to scallop fishing by emergency order during this time, the state waters portion of the fishery remained open. Harvest and earnings from 1995 fish tickets show landings in the EEZ and state waters in January and February, 1995, and landings in state waters only during July and August, 1995.

With the exception of license limitation in the EEZ, the scallop FMP delegated management authority to the State of Alaska. In March 1997, NMFS approved Amendment 2 to the FMP establishing a three-year vessel moratorium in federal waters. Eighteen vessel owners qualified to fish during the federal moratorium. Fourteen owners received endorsements for the statewide area (all waters except those waters defined in the Cook Inlet area), three owners received endorsements for Cook Inlet ‘only’ and one owner received endorsements for both the statewide and Cook Inlet areas.

Federal Moratorium and License Limitation Program

By February 1999, the NPFMC recommended replacing the temporary federal moratorium program in the EEZ with a permanent license limitation program (LLP).

This action became Amendment 4 to the scallop FMP. The federal moratorium expired June 30, 2000. The moratorium was replaced by the LLP that became effective on January 16, 2001. Between June 30, 2000, and January 16, 2001, the fishery was temporarily in open access status, although no additional vessels entered the fishery. Initial issuance of scallop LLP (SLLP) licenses by National Marine Fisheries Service occurred in April, 2001. Eight vessels received permanent scallop LLP licenses and two vessels initially received interim licenses pending adjudications. Interim SLLP 002 belonging to Forum Star Inc. was later adjudicated to be eligible for a permanent license. Interim SLLP 001 was eventually denied. A total of nine permanent licenses have been issued in the federal scallop LLP program. Table 1 shows vessel entities associated with the scallop License Limitation Program licenses that were initially issued.

Table 1. Federal Scallop License Limitation Permits Issued by National Marine Fisheries Service - Restricted Access Management as of April, 2001 (Initial Issuance).

License	License Holder	MLOA	Transferable	Gear Restrictions
001	Asp, Svend and Maxine	98'	No - Interim	Single 6ft scallop dredge ⁷
002	Forum Star, Inc.	98'	No - Interim	None
003	Hogan, Thomas C.	75'	Yes	None
004	Hulse, Max et al.	79'	Yes	Single 6ft scallop dredge
005	Ocean Fisheries LLC	100'	Yes	None
006	Oceanic Research Services, Inc.	70'	Yes	None
007	Pursuit, Inc.	101'	Yes	None
008	Provider, Inc.	124'	Yes	None
009	Carolina Boy, Inc.	95'	Yes	None
010	Carolina Girl II, Inc.	96'	Yes	None

⁷ There are two permits in this list with a six-foot dredge restriction. These vessels originally qualified with landings in the Cook Inlet registration area only. To prevent further increases in fishing capacity, these vessels were restricted to a dredge capacity no greater than what was used during the qualifying years. They could fish outside Cook Inlet, but only with a six-foot dredge. All LLPs were restricted by vessel length constraints no greater than what was used during the qualifying years.

Transfers of Federal Scallop LLP Licenses

Three transfers of federal scallop LLP licenses have occurred since initial issuance.

- Oceanic Research Services, Inc. (F/V Northern Explorer , ADFG#64572) sold SLLP 006 to Thomas J. Gilmartin (F/V Arctic Storm, ADFG#66700) April 18, 2001.
- Carolina Girl II, Inc. (F/V Carolina Girl, ADFG#64111) transferred SLLP 010 to Alaska Scallop, LLC in an apparent effort to consolidate. On December 23, 2002 Carolina Girl II, Inc. relinquished all eligibility rights to a weathervane scallop state moratorium vessel permit and limited entry vessel permit. SLLP 010 is not being fished.
- Carolina Boy, Inc. (F/V Carolina Boy, ADFG#64110) transferred SLLP 009 to Ocean Fisheries, LLC on August 21, 2003 in an apparent effort to consolidate. SLLP 009 is not being fished.

Table 2 lists federal scallop LLP licenses as of November, 2005.

Table 2. Federal Scallop License Limitation Permits Issued by National Marine Fisheries Service - Restricted Access Management as of November, 2005.

License	License Holder	MLOA	Transferable	Gear Restrictions
002	Forum Star, LLC	97	Yes	None
003	Hogan, Thomas C.	75'	Yes	2 Scallop Dredges with a combined width of no more than 20 feet (6.1m)
004	Hulse, Max et al.	79'	Yes	2 Scallop Dredges with a combined width of no more than 20 feet (6.1m)
005	Ocean Fisheries, LLC	100'	Yes	None
006	Gilmartin, Thomas	70'	Yes	None
007	Pursuit, Inc.	101'	Yes	None
008	Provider, Inc.	124'	Yes	None
009	Ocean Fisheries, LLC	95'	Yes	None
010	Alaska Scallop, LLC	96'	Yes	None

State Moratorium and Vessel Limited Entry Permit Program

In 1997, a four-year vessel moratorium (AS 16.43.906) was enacted in state waters by the Alaska Legislature. The state moratorium, originally set to expire June 30, 2001, was extended an additional three years by the Alaska Legislature until June 30, 2004.

Both federal and state moratoria established two fishery areas: the Cook Inlet area and a “statewide” area encompassing waters in the Gulf of Alaska and the Bering Sea, except those defined in the Cook Inlet area. Nineteen vessels were originally covered under either the state or federal moratorium. Eighteen vessels were associated with permits at initial issuance under the federal moratorium.

Table 3 lists vessels that qualified for state moratorium permits. Ten vessels qualified under the state moratorium for the statewide area, with three vessels also qualifying for a Cook Inlet permit.

Table 3. Vessels qualified for state moratorium by fishery area

Vessel Name	Statewide	Cook Inlet
Alaska Beauty	Yes	Yes
Arctic Queen	Yes	
Carolina Boy	Yes	
Carolina Girl II	Yes	
La Brisa	Yes	Yes
Northern Explorer	Yes	Yes
Provider	Yes	
Pursuit	Yes	
Rush	Yes	
Trade Wind	Yes	

Nine vessels were associated with permits for both the federal and state moratoria. In 1997, two unique vessels obtained vessel permits under the state’s moratorium for the Cook Inlet registration area as defined in AS 16.43.906 (o) (1). The Cook Inlet registration area included both state waters and EEZ waters. In 1998, only one vessel obtained a Cook Inlet moratorium vessel permit. From the 1999 license year through expiration of the state moratorium in 2004, no permits were issued for the Cook Inlet area.

According to commission license data, from 1997-2000, eight unique vessels obtained vessel permits under the State’s moratorium for the statewide registration area as defined in AS 16.43.906 (o) (3). Based on CFEC license data, the eight vessels ranged in size from 63 feet to 124 feet in overall length. The statewide registration area included state waters and EEZ waters. Under the State moratorium, vessels eligible for permits in the Cook Inlet registration area were also eligible for permits in the statewide registration area, although no vessels obtained permits for both areas in the same year.

State Limited Entry Vessel Permit Program

Passage of the vessel permit system bill (CSHB206 (RLS) am S) during the 2002 legislative session resulted in significant changes to the state's limited entry statutes. The changes authorized creation of a vessel-based limited entry program in the state's weathervane scallop and hair crab fisheries (AS 16.43.450-520). However, a sunset provision was included in the legislation. The vessel entry permits issued for the statewide weathervane scallop and hair crab fisheries will expire on December 30, 2008, unless statutory authority is extended.

On May 6, 2004, the Commission adopted regulations 20 AAC 05.1425 – 20 AAC 05.1444 establishing a vessel permit system for the statewide weathervane scallop fishery.

Based on those regulations, the nine vessels listed in Table 4 below were eligible for a state limited entry vessel permit. All nine vessels are associated with initial or current holders of federal scallop LLP licenses. However, one of the nine vessels had already relinquished its eligibility rights by request. Owners of the eight remaining vessels applied for and received weathervane scallop limited entry vessel permits.

Table 4. Vessels Eligible to Apply for a Limited Entry Vessel Permit

Vessel Name	ADFG#	Federal Scallop LLP License	State Waters Vessel Limited Entry Permit
F/V Carolina Boy	64110	Initial Issue of SLLP license 009 (sold 8/21/2003)	Initial Issue of State Vessel LEP W 2ABV 85013W (12/3/2004)
F/V Forum Star	59687	Initial Issue of SLLP license 002 (still holds)	Initial Issue of State Vessel LEP W 2ABV 85014O (12/6/2004)
F/V Kilkenny	54966	Initial Issue of SLLP license 003 (still holds)	Initial Issue of State Vessel LEP W 2BBV 85015J (12/6/2004)
F/V La Brisa	23574	Initial Issue of SLLP license 004 (still holds)	Initial Issue of State Vessel LEP W 2BBV 85012H (9/23/2004) (Permanent vessel substitution from 60773 (La Brisa)9/23/2004)
F/V Carolina Girl II	64111	Initial Issue of SLLP license 010 (sold 12/23/2002)	(relinquished moratorium/limited entry eligibility rights, 1/2003)
F/V Arctic Storm	66700	Purchased SLLP license 006 (4/18/01) (still holds)	Initial Issue of State Vessel LEP W 2BBV 85018L (1/6/2005)
F/V Ocean Hunter	40924	Initial Issue of SLLP license 005 (still holds plus SLLP 009)	Initial Issue of State Vessel LEP W 2ABV 85007S (6/17/2004)
F/V Provider	58200	Initial Issue of SLLP license 008 (still holds plus SLLP 010)	Initial Issue of State Vessel LEP W 2ABV 85008L (6/28/2004)
F/V Pursuit	40312	Initial Issue of SLLP license 007 (still holds)	Initial Issue of State Vessel LEP W 2ABV 85016Z (12/6/2004)

CFEC regulations established two length categories for vessel entry permit issuance based on the maximum length overall (LOA) of the vessel initially used to qualify for the fishery.

W2ABV vessel entry permits were issued to owners of vessels greater than 80 feet. W2BBV vessel entry permits were issued to owners of vessels 80 feet or less. The F/V Arctic Storm, F/V Kilkenny and F/V La Brisa were issued W2BBV permits based on a vessel length of 80 feet or less. The owners of all three W2BBV vessel entry permits list Alaska mailing addresses. The F/V Carolina Boy, F/V Forum Star, F/V Ocean Hunter, F/V Provider and F/V Pursuit were issued W2ABV permits based on a vessel length greater than 80 feet. The current owners of all W2ABV vessel entry permits list non-Alaska mailing addresses. However, one W2ABV limited entry vessel permit is in the process of being transferred as of this writing to an entity with an Alaskan mailing address. One W2BBV vessel permit, vessel and federal scallop LLP has been advertised for sale. At initial issuance on September 23, 2004, the owners of La Brisa, Inc.

requested and were granted a permanent vessel substitution from the F/V La Brisa to the F/V Billy D. On May 6, 2005, the owners of La Brisa, Inc. requested and were granted a vessel name change from the F/V Billy D to the F/V Wayward Wind.

Fishery Description

Alaska weathervane scallops are harvested using ‘New Bedford’ style scallop dredges (Figure 1). State regulations limit all vessels fishing inside the Cook Inlet Registration Area to the use of a single dredge not more than 6 feet wide. Unless restricted by federal LLP permit endorsements, vessels fishing outside of Cook Inlet and elsewhere in state and federal waters are allowed two dredges, each not more than 15 feet wide. Vessel lengths in this fishery range from 58 feet to 124 feet LOA. An average 15-foot dredge weighs about 2,600 pounds, while a 6-foot dredge weighs about 900 pounds.⁸ In addition to any restrictions due to state regulations and/or federal endorsements, vessel length, horsepower and available deck space may also be factored into determining an optimum dredge size for a particular vessel to use.



Figure1. New Bedford Style Scallop Dredge (Courtesy of Alaska Department of Fish & Game)

⁸ NPFMC, *Stock Assessment and Fishery Evaluation Report*, 2006.

The Alaska weathervane scallop fishery is executed using the following steps:⁹

- dredge is prepared and deployed (set)
- dredge is towed slowly (avg. 5 mph) on the ocean bottom for 50 to 60 minutes
- dredge is retrieved
- dredge contents are emptied on the deck
- scallops are sorted into baskets and bycatch is discarded overboard (Figure 2)
- baskets of scallops are moved from the deck to the shucking area on board the vessel
- dredge gear is prepared for the next set and deployed
- scallops are hand-shucked, washed, graded as to size, packaged and frozen (Figure 3)



Figure 2. Scallops Being Sorted Into Baskets



Figure 3. Scallops Being Hand Shucked

(photos courtesy of Saltwater Inc., Anchorage, Alaska)

⁹ NPFMC, *Stock Assessment and Fishery Evaluation Report*, 2006.

Onboard Observer Program

Under the Alaska Scallop Fishery Management Plan (5 AAC 38.076 (g)), all vessels participating in this fishery are required to carry an onboard observer. Onboard observers are tasked with collecting biological and fishery-based data, monitoring bycatch and providing regulatory enforcement. This oversight is especially important in fisheries like the scallop fishery, where vessels operate as catcher-processors. Specific information collected includes data on crab and halibut bycatch (both prohibited species), discarded scallop catch, retained scallop catch, catch composition, weight of scallop meat recovered, location and general area of catch, dredge depth and amount of catch per tow (catch per unit effort or CPUE).

Observers report information to local ADF&G offices during the season. Amount of scallops harvested, number of tows, area fished and crab bycatch are examples of data reported to ADF&G up to three times weekly. These data are used to help manage the inseason fishery. Based on observer reporting, areas may be closed by emergency order (EO) at any time during the season when established crab bycatch limits have been met or exceeded. Observer data are also used to help set guideline harvest ranges (GHRs) for future seasons. ADF&G does not conduct scallop stock assessments in most areas of the state, so observer collected data are essential to fishery resource management.¹⁰

Onboard observer coverage is funded at vessel owners' expense through direct payments to independent contracting agents. These independent agents provide the onboard observers who are trained at the University of Alaska's North Pacific Fisheries Observer Training Center in Anchorage, Alaska. Onboard observer coverage is paid for by industry. Observer training is funded by a federal grant. Federal assistance is provided to the State of Alaska by a NOAA grant award to cover additional costs incurred to meet federal oversight.¹¹

Crab Bycatch

Under the federal scallop FMP, most management measures have been delegated to the State of Alaska for implementation. Setting of prohibited species and crab bycatch limits are included in the management measures delegated to the State.

Specific concerns about overfishing and bycatch have directed State management of the scallop fishery to be intentionally conservative. In response to concerns about damage done to habitat by dredging, ADF&G has intentionally closed known scallop beds in critical crab or juvenile fish habitats to protect the nurseries. Some of these areas have remained closed for upwards of thirty years.

Bycatch of crab in the scallop fishery is controlled through the implementation of crab bycatch limits. First instituted by the state in July 1993, crab bycatch limits are based on individual crab stock abundance information. Bycatch limits can be set to a specific number of crabs or as a percentage of the estimated available stock abundance, depending on district and/or registration area.

¹⁰ NPFMC, *Stock Assessment and Fishery Evaluation Report*, 2006.

¹¹ *Ibid.*

A number of vessel owners formed a private cooperative in May, 2000.¹² The cooperative hired an independent consulting firm to review data provided by participating co-op vessel skippers on bycatch, amounts of scallop harvest and locations. The consulting firm, Sea State Inc. of Vashon, WA, reports back to the cooperative on areas of high bycatch concentrations.¹³ The co-op can then direct its vessels away from those areas.

Crab bycatch limit-based closures have decreased over the years since 1993. Factors that may have contributed to this positive development include a reduction in the number of fishing vessels, input from the observer program and consulting firms and decreased crab abundance in general. During the 1993 season, four statewide areas were closed due to crab bycatch. Since the 2000 season, only one area has been closed due to crab bycatch.¹⁴

Historic Scallop Harvests

Table 5 lists Alaska weathervane scallop harvests from 1980 through the 2005 and preliminary 2006 harvest figures. Year 1980 through 1996 show harvest figures prior to federal and state waters moratoria. The state waters moratorium was in effect from July 1, 1997 through June 30, 2004. The three year federal waters moratorium was adopted in March, 1997 and expired June 30, 2000. The moratorium was replaced by the LLP that became effective on January 16, 2001. Between June 30, 2000 and January 16, 2001 the fishery in the EEZ was temporarily in open access status, although no additional vessels entered the fishery. Initial issuance of federal scallop LLP licenses by NMFS occurred in April, 2001. The state waters moratorium was replaced by the limited entry vessel permit program beginning in September, 2004.

Participation, harvest and earnings in this fishery trended upwards from 1980 until 1983 when a sharp downturn occurred. From 1984 through the mid 1990s, an upward trend in participation, harvest and earnings occurred. Participation in the fishery since 1997 has been limited by moratorium programs in both state and federal waters, followed by limitation. In the years since 1997, harvest figures have ranged between 420,000 and 840,000 pounds of shucked meat.

Earnings figures in this time period have ranged between 1.8 and 4.4 million dollars annually. It has been suggested that market prices in the Alaska scallop fishery are influenced by U.S. east coast and Canadian scallop stock conditions and related market prices.¹⁵ Regardless, revenues in this fishery as well as harvest and participation have varied widely over the years.

¹² North Pacific Scallop Cooperative, formed in May 2000 just prior to initial issuance of federal scallop license limitation permits by six of the licensed vessel owners.

¹³ Personal communication with Jeffrey P. Barnhart, statewide scallop observer program coordinator and biologist for the Alaska Department of Fish and Game, Division of Commercial Fisheries, Kodiak, Alaska.

¹⁴ NPFMC, *Stock Assessment and Fishery Evaluation Report*, 2006.

¹⁵ *Ibid.*

Table 5. Weathervane Scallop Harvests 1980 – 2006

Year	State Waters						Federal Waters						All Waters				
	Vessels	Pounds	%	Estimated Earnings	%	#IUPs	Vessels	Pounds	%	Estimated Earnings	%	#IUPs	Unique Vessels	Total Pounds	Total Est. Earnings	Unique IUPs	Average Price/ lb
1980	4	113,193	20.7	\$433,618	21.4	7	6	432,741	79.3	\$1,590,864	78.6	10	6	545,934	\$2,024,482	11	\$3.71
1981	12	354,770	42.2	\$1,481,395	42.1	14	16	486,610	57.8	\$2,039,585	57.9	19	17	841,380	\$3,520,980	22	\$4.18
1982	10	288,706	31.6	\$890,371	28.0	13	11	623,590	68.4	\$2,293,017	72.0	17	12	912,296	\$3,183,388	18	\$3.49
1983	4	***	***	***	***	5	3	***	***	***	***	3	6	194,116	\$900,837	7	\$4.64
1984	5	145,089	38.2	\$641,803	38.1	6	8	235,134	61.8	\$1,042,179	61.9	9	8	380,223	\$1,683,983	9	\$4.43
1985	7	439,600	67.0	\$1,576,598	66.9	9	4	216,989	33.0	\$778,995	33.1	6	8	656,589	\$2,355,592	10	\$3.59
1986	5	293,782	41.9	\$1,045,749	43.7	9	7	407,337	58.1	\$1,345,163	56.3	11	8	701,119	\$2,390,912	14	\$3.41
1987	4	334,700	57.4	\$1,240,684	59.0	4	4	248,343	42.6	\$862,635	41.0	6	4	583,043	\$2,103,319	6	\$3.61
1988	1	***	***	***	***	2	4	***	***	***	***	5	4	341,070	\$1,201,201	5	\$3.52
1989	5	80,057	15.0	\$313,783	15.6	7	7	454,706	85.0	\$1,696,768	84.4	10	7	534,763	\$2,010,551	10	\$3.76
1990	9	596,254	40.1	\$2,020,051	39.8	12	9	892,483	59.9	\$3,053,521	60.2	13	9	1,488,737	\$5,073,572	15	\$3.41
1991	6	274,453	24.1	\$979,297	22.9	6	5	862,196	75.9	\$3,299,903	77.1	6	6	1,136,649	\$4,279,200	7	\$3.76
1992	7	227,920	13.0	\$886,890	13.0	8	7	1,525,953	87.0	\$5,909,809	87.0	11	8	1,753,873	\$6,796,699	12	\$3.88
1993	10	100,226	6.6	\$455,502	6.5	10	15	1,411,313	93.4	\$6,525,913	93.5	22	15	1,511,539	\$6,981,415	22	\$4.62
1994	12	204,746	16.3	\$1,156,258	16.4	14	16	1,051,990	83.7	\$5,883,004	83.6	20	17	1,256,736	\$7,039,263	22	\$5.60
1995*	9	114,821	32.7	\$617,290	33.4	9	9	236,202	67.3	\$1,230,376	66.6	9	10	351,023	\$1,847,667	10	\$5.26
1996	4	198,886	27.3	\$1,250,207	26.8	5	9	529,538	72.7	\$3,420,308	73.2	9	9	728,424	\$4,670,516	10	\$6.41
1997	7	253,134	31.5	\$1,348,634	31.1	7	9	549,249	68.5	\$2,981,118	68.9	11	9	802,383	\$4,329,752	11	\$5.40
1998	6	210,547	25.3	\$937,959	23.7	6	8	622,834	74.7	\$3,013,051	76.3	10	8	833,381	\$3,951,010	10	\$4.74
1999	6	145,588	17.4	\$502,454	16.8	6	10	692,226	82.6	\$2,479,880	83.2	11	10	837,814	\$2,982,334	11	\$3.56
2000	3	***	***	***	***	3	8	***	***	***	***	10	8	714,285	\$2,814,997	10	\$3.94
2001	2	***	***	***	***	2	6	***	***	***	***	6	6	552,240	\$2,153,876	6	\$3.90
2002	1	***	***	***	***	1	6	***	***	***	***	6	6	492,287	\$3,144,237	6	\$6.39
2003	1	***	***	***	***	1	4	***	***	***	***	4	4	526,262	\$1,849,214	4	\$3.51
2004	2	***	***	***	***	2	5	***	***	***	***	5	5	424,543	\$2,004,504	5	\$4.72
2005	3	***	***	***	***	5	5	***	***	***	***	7	5	525,086	\$4,212,304	7	\$8.02
2006**	3	***	***	***	***	5	3	***	***	***	***	5	3	***	***	5	\$7.78

Note: * From February 23, 1995, until August, 1996, the EEZ was closed to fishing. 1995 federal waters harvest and earnings occurred in January and February prior to closure.

** 2006 harvest and earnings figures are preliminary and incomplete.

*** Data are masked to preserve confidentiality under AS 16.05.815

Expiration of the State Vessel Limited Entry Permit Program

20 AAC 05.1425 – 20 AAC 05.1444 (adopted May 6, 2004) established a vessel permit system for the statewide weathervane scallop fishery. However, a sunset provision was added to the legislation. Under 20 AAC 05.1443, vessel entry permits issued for this fishery will expire on December 30, 2008, unless statutory authority is extended. Could the state of Alaska be faced with potential management and conservation issues if the state waters fishery was again opened to unrestricted fishing capacity?

Implementation of the federal scallop license limitation program and state waters vessel limited entry permit systems created a reduction in the number of participants in this fishery. Combined with the onboard observer program, gear and crew restrictions, vessel length restrictions and establishment of conservative guideline harvest ranges, scallop stocks in general appear to be healthy and not overfished.¹⁶ Formation of the voluntary scallop cooperative and removal of some co-op boats from active participation has further reduced effort.

The state waters vessel limited entry permit system has established two vessel length categories. Permits are issued to owners of vessels 80 feet and less and to owners of vessels greater than 80 feet. If vessel size were not restricted, it is likely that permit owners with smaller boats would upgrade to larger boats and larger dredges and fish in areas previously restricted by their size. Greater or unrestricted fishing capacity could lead to shorter seasons, exceeding guideline harvest ranges and potentially causing early area closures due to reaching or exceeding crab bycatch limits. Because of the onboard observer program in this fishery, however, the risk of exceeding guideline harvest ranges and bycatch limits is low.

Many scallop beds straddle the three-mile state waters boundary, with a larger portion of the bed located in federal waters and a smaller portion in state waters. The federal license limitation program has no sunset clause associated with it and will therefore remain in place. If access was not limited on the state waters side and a number of vessels with unrestricted capacity began harvesting in state waters only, localized depletion of beds on the state waters side could occur. The fishery is managed as a single fishery with respect to establishment of guideline harvest ranges. Guideline harvest ranges are established by management areas irrespective of whether they lie within state and/or federal waters. In the example just mentioned where localized depletion might occur in state waters, the entire bed and surrounding area could potentially be closed indefinitely to protect the resource. This scenario would impact not only the state waters portion of the fishery, but also the federal fishery. Since implementation of the federal LLP program in 2001 and the state waters vessel limited entry permit system in 2004, a closure of this nature has not occurred.¹⁷

¹⁶ Kevin Duffy, Commissioner ADF&G, Response to CFEC information request on scallop fishery, Feb. 23, 2004.

¹⁷ Personal communication with Jeffrey P. Barnhart