



## New England Fishery Management Council

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## MEETING SUMMARY

### Scallop Advisory Panel Meeting

May 22, 2019

Hilton Hotel, Providence RI

The Scallop Advisory Panel met in Providence, RI on May 22, 2019 to: 1) provide input on the potential harvest of small scallops in the NLS-S-deep, 2) review Amendment 21 scoping comments and recommend next steps to the Committee, 3) develop recommendations on 2020/2021 Scallop RSA research priorities, 4) provide input on approaches to mitigate impacts on yellowtail flounder, and 5) discuss other business.

#### **MEETING ATTENDANCE:**

James Gutowski (AP Chair), Jonathon Peros (Plan Coordinator), Sam Asci (Council staff), Kirk Larson, Ron Enoksen, Paul Vafides, Bob Maxwell, Brady Lybarger, Ed Mullis, Eddie Welch, Brent Fulcher, Mike Marchetti, Paul Parker, Tom Reilly, Kristan Porter, and Charlie Quinn.

Mr. Vincent Balzano, Scallop Committee Chair, was also in attendance along with approximately 17 members of the public in the audience.

**MEETING MATERIALS:** Doc.1 [Meeting Agenda](#), Doc.1a [Staff presentation](#); Doc.1b [Meeting Memo from Committee Chair, Mr. Vincent Balzano](#); 2. [Amendment 21](#): Doc.2a [Summary of all Amendment 21 scoping Comments](#), Doc.2b [Summaries of Amendment 21 Scoping Meetings \(Oral comments\)](#); Doc.2c [Written comments for Amendment 21 scoping](#), Doc.2d [Amendment 21 scoping document](#), Doc.2e [Draft Amendment 21 Action Plan](#), Doc.2f [Summary of SARC 65 Gulf of Maine reviewer comments](#), Doc.2g [Staff presentation on Amendment 21 scoping comments](#); 3. [RSA Program Review](#): Doc.3a [RSA Program Review](#), Doc.3b [Program Review presentation \(Ms. Deirdre Boelke presentation\)](#), Doc.3c [Draft Scallop PDT input on Program Review Findings \(May 9, 2019\)](#), Doc.3d [RSA Program Review Findings and Recommendations Table](#); 4. [2020/2021 Scallop RSA](#): Doc.4a [Summary of Recent RSA Awards](#), Doc.4b [2019/2020 Scallop RSA award announcements \(NEFMC\)](#), Doc.4c [Input from Scallop PDT – 2020/2021 Research Priorities](#), Doc.4d [2019/2020 Scallop RSA Federal Funding Opportunity](#), Doc.4e [2019 – 2023 Council Research Priorities - Scallop Priorities](#); 5. [PDT Meeting Summaries](#): Doc.5a [April 4, 2019 Conference Call](#), Doc.5b [May 9, 2019 Conference Call](#); 6. [Materials for NOAA Update](#): Doc.6a [Shell stock compliance guide](#), Doc.6b [Clarification of vessel replacement policy](#); Doc.7 [Correspondence](#)

**KEY OUTCOMES:**

- *The AP recommended that the Council allocate the small scallops in the NLS-S-deep for harvest in 2020/2021 specifications.*
- *The AP recommended a range of alternatives be developed through Amendment 21 that focus on NGOM management measures, LAGC IFQ possession limits, and the one-way transfer of IFQ from LA vessels with IFQ permits to LAGC IFQ-only vessels.*
- *The AP developed input on 2020/2021 Scallop RSA Research Priorities.*

The meeting began at 9:05 am. Following introductions, AP Chair Jim Gutowski reviewed the agenda and goals for the AP meeting. Jonathon Peros (Council staff) provided the AP with a brief update on implementation of Framework 30 and FY2019 specifications, performance of the FY2019 NGOM fishery, and recent open area catch rates thus far in fishing year 2019.

## NLS-S-Deep Discussion

Dr. Dave Rudders of Virginia Institute of Marine Science (VIMS) briefly reviewed information related to on-going research of the slow growing scallops in the NLS-S-deep (see [Doc.2a](#) from the May 21, 2019 joint AP/PDT meeting). Key points from discussion following the presentation included:

- Discussion around commercial dredge selectivity of the slow-growing scallops of the NLS-S-deep suggested that, even if these animals grow normally for one year, they will still most likely be under the  $L_{50}$  for the 4" ring.
- It was also noted that the VIMS experimental design incorporates a commercial dredge with 4" rings and that this gear has been quite successful in catching the smaller slow-growing scallops.

### Motion 1: Larson/Fulcher

The AP recommends that the Committee initiate an allocation for the harvest of scallops in the NLS-S-deep area for the 2020/2021 FY.

*Rationale:* These scallops will be 8 years old in 2020/2021 but are not expected to recruit to the fishery. In considering an allocation, the PDT should evaluate existing access area boundaries in the Nantucket Lightship area, as well as the size of the high-density area in the NLS-S-deep.

The motion carried on a show of hands: 13-0-0.

### Discussion on Motion 1:

- The AP felt it will be important to create a tight boundary around the slow-growing scallops if they are to be harvested in the future. This would help ensure that the small scallops will be fished separately from those in traditional access areas to the north.
- Discussion reiterated that defining a boundary, estimating biomass, and figuring out a harvest plan of the slow-growing deep water scallops will be best informed when the 2019 surveys in this area are complete.

- Council staff explained that the NLS-S-deep scallops have been included in the OFL and ABC estimates, but have not been included in projected landings that were allocated to the fishery over the past several years.
- Several members of the AP and audience voiced support for Motion 1, feeling that it is time to move forward with harvesting the small scallops in the NLS-S-deep.

### FY2019 Update from Industry

- A member of the AP stated that fishery performance in the NLS-West so far in FY2019 has been better than anticipated, with the majority of landings being in the 10-20 count market grade. They noted that there have been a lot of vessels (i.e. 40 to 50 per day) fishing in a relatively small area of the NLS-West since the beginning of the season, and suggested this will continue for the next several months so that vessels can harvest their NLS-West allocation before meat yield starts to fall off in October. They felt that the NLS-West was over allocated for FY2019.
- Others felt that effort in the NLS-West may spread out a bit more over the next few months now that vessels realize the fishing in this area is better than anticipated.
- AP discussion indicated that the majority of effort thus far in FY2019 has been focused in access areas. It was noted that meat yield has been high, especially in the Mid-Atlantic Access Area.
- Reports from vessels fishing open area trips have been positive, with high catch rates and high meat yield.

### Motion 2: Welch/Maxwell

The AP recommends that the Scallop Committee recommend that the Council initiate an action to allow scallop fishing on the Northern Edge.

*Rationale:* There are two sets of scallops that have died of natural mortality.

The motion carried on a show of hands: 13-0-0.

#### Discussion on Motion 2:

- A member of the AP inquired as to whether the scallop fishery would be able to access the Northern Edge in the near future. They expressed frustration that two-year classes of scallops have died in this area since it was closed and felt strongly that the scallop fishery should be able to fish there.
- Council staff explained that this area continues to be inside a habitat management area, and that an action which makes it accessible to the scallop fishery would be handled through the Habitat Committee. It was also noted that the Habitat Committee will be reviewing findings from a three-year survey of the Northern Edge in the near future.
- A member of the audience felt that gaining access to the Northern Edge should be handled by the Scallop Committee and suggested that the Scallop Committee should start analyzing scallop fishing on the Northern Edge and developing potential access area boundaries. Council staff noted that scallop access areas have typically been inside traditional groundfish closures, whereas the Northern Edge is encompassed by a Habitat Management Area.

## Amendment 21 Scoping Summary Discussion

Council staff presented an overview of comments received during the scoping period for Amendment 21 to the Scallop FMP (see Doc.2a [Summary of all Amendment 21 scoping Comments](#) and Doc.2g [Staff presentation on Amendment 21 scoping comments](#)). Following the presentation, general questions and key points from AP discussion included:

- A member of the AP recommended that additional information about how IFQ fisheries have performed in other regions/countries be compiled and reviewed before further changes are made to the LAGC IFQ fishery in Amendment 21. They felt that the fishery had already undergone some hyper-consolidation, and said that the impacts of the program were predictable.
- Regarding scoping comments that supported a consistent gear restriction in the NGOM Management Area, a member of the public felt that placing gear restrictions on LA vessels was not within the scope of Amendment 21. They also felt that unreported landings in the LAGC IFQ fishery should be addressed before making any changes to this component of the fishery.
- A member of the audience inquired if NOAA General Counsel has weighed in on the legality of a provision that would allow LA vessels with IFQ to transfer quota to LAGC IFQ-only vessels. They felt this provision could be conflicting with the Magnuson-Stevens Act and also suggested that LA vessels with IFQ should be able to transfer quota to each other. Staff noted that NOAA GC will be involved in this discussion through development of Amendment 21 and also noted that NOAA GC did not flag the one-way transfer when the Amendment 21 scoping document was approved by the Council in January 2019.
- A member of the AP felt that it is important to maintain the separate allocation between the LA and LAGC IFQ component and was hesitant of allowing a permanent one-way transfer provision because it could change the allocation split established in Amendment 11.
- One AP member suggested including an alternative in A21 that would allow quota transfers between LA vessels with IFQ.
- A member of the AP felt that increasing the LAGC IFQ possession limit makes sense for trips to Closed Area II or other offshore fishing grounds.

The AP was reminded that this is the opportunity to suggest next steps for Amendment 21, such as establishing goals and(or) objectives for each issue, recommending a range of alternatives to be developed for each issue, and(or) developing tasking for the Scallop PDT. The following sections summarize AP discussion and motions specific to each issue being addressed in Amendment 21.

## A21 Discussion: One-way transfer of quota from LA with IFQ to LAGC IFQ-only vessels

### **Motion 3: Marchetti/Larson:**

The AP recommends that the Committee develop a range of alternatives for the TEMPORARY (lease only) one-way transfer of IFQ from LA with IFQ to LAGC IFQ only (not permanent transfer) to be developed in Amendment 21.

*Rationale:* Only develop alternatives for temporary transfer only. Maintain the existing ACL flowchart, and maintain the current annual allocation split between LA and LAGC IFQ.

The motion failed on a show of hands: 4-5-3.

### Discussion on Motion 3:

- Those in support of Motion 3 felt that allowing temporary transfers only would ensure the current allocation split is maintained between the LA and LAGC IFQ components. They reiterated that the allocation split established in Amendment 11 was done so to ensure viability of the small boat fleet and keep ownership interests separate between the LA and LAGC IFQ components. The maker of Motion 3 felt that allowing a permanent transfer would aggravate hyper-consolidation in the LAGC IFQ component, thereby taking away opportunity from small boats and move the fishery away from the vision statement established in Amendment 11. Some in support of Motion 3 did not support permanent transfers because they were weary of modifying the ACL flow chart. Others felt that it is important to keep IFQ on the LA vessels that qualified for it, but also supported a temporary transfer provision because it would improve flexibility and offer more fishing opportunity for LAGC IFQ vessels.
- Those against Motion 3 noted that several scoping comments suggested both temporary and permanent transfers be considered in Amendment 21. They felt that LA vessels with IFQ should have the option to either temporarily or permanently transfer quota down depending on what makes sense for individual business owners. Several others felt that permanent transfers should at least be evaluated in the range of alternatives in Amendment 21 to verify how this provision might change the fishery.
- A member of the AP felt that Amendment 21 should consider transferring quota between LA vessels with IFQ because it would increase flexibility for these vessels. Council staff reiterated that this was not included in scoping discussions and that the one-way transfer provision was aimed at providing more flexibility for LAGC IFQ-only vessels.
- A member of the audience felt that LA vessels with IFQ should be able to lease-in and purchase quota because it would provide more opportunity for scallop vessels in the southern states of North Carolina and Virginia.

**Motion 4: Maxwell/Larson:**

The AP recommends that the Committee develop a range of alternatives for the TEMPORARY and PERMANENT one-way transfer of IFQ from LA with IFQ to LAGC IFQ only to be developed in Amendment 21.

*Rationale:* Would like to see both permanent and temporary analyzed as part of A21.

The motion carried on a show of hands: 10/2/1

Discussion on Motion 4:

- One member of the AP expressed support for Motion 4 because they saw it as a benefit to the LAGC IFQ component.
- Another AP member felt that permanent transfers would not make sense for LA owners because it would mean selling out of the LAGC IFQ fishery without being able to get back in.
- Another AP member was surprised that leasing between LA vessels with IFQ is not allowed in the current regulations. Council staff reiterated that this issue was intentionally not included in the scoping document by the Council for Amendment 21.

**Motion 5: Fulcher/Mullis**

The AP recommends that the Committee add a range of alternatives in Amendment 21 to allow for the TEMPORARY (lease only) transfer of IFQ from LA vessels with IFQ other LA vessels with IFQ permits.

*Rationale:* This would allow LA vessels with IFQ (0.5% of ACL) to annually lease to each other, or to lease down to the LAGC IFQ. Allow vessels to utilize pounds if they have a problem harvesting them.

The motion carried on a show of hands: 6-4-3.

AP discussion on Motion 5 was very brief. Those in favor of Motion 5 felt that keeping temporary transfers contained between LA vessels with IFQ would improve flexibility without impacting the LAGC IFQ-only component. Several AP members did not support Motion 5 because this issue was not scoped for and were weary of moving forward with it in Amendment 21 without allowing the public to comment on it first.

## A21 Discussion: LAGC IFQ Possession Limits

### **Motion 6: Maxwell/Reilly:**

The AP recommends that the Committee develop a range of alternatives for LAGC IFQ possession limit up to 1,200 lbs per trip in Amendment 21.

*Rationale:* Look at trip limits at 600lbs, 800 lbs, 1000 lbs, and 1200 lbs. A trip limit increase would give a portion of the fleet more opportunity to manage their business more efficiently and safely. If you can harvest 1,200 lbs a day, you reduce the number of trips (times in/out of inlet) and fuel consumption. Longer steam time is required to catch trip limit. A 600 lb trip limit is OK if there was an inshore fishery. This would give small boats more flexibility, and vessels don't have to catch 1,200 a day (they could catch less).

The motion carried on a show of hands: 10-3-0.

### Discussion on Motion 6:

- A member of the AP stated that they would support keeping the 600-pound trip limit if there were a viable inshore fishery, but they felt that a higher trip limit is necessary to support vessels fishing farther offshore.
- Another AP member that was not in support of Motion 6 suggested that the LAGC IFQ fleet is to blame for the lack of an inshore fishery, and that increasing the trip limit would lead to areas farther offshore being depleted. They suggested that increasing the trip limit would change the nature of the fishery, and went on to suggest that if the Council wanted to change the fishery why not go higher than 1,200 lbs.
- Several AP members acknowledged that the trip limit issue has been contentious within the LAGC IFQ fleet and felt it will be important to find a compromise among those both for and against increasing the trip limit. They suggested finding a narrower range of potential trip limits that keeps people happy.
- It was clarified that the range of possession limits in Motion 6 are pounds per trip (i.e. not pounds per day).
- Further discussion pointed out that in theory, a vessel could land 8,400 pounds in a week under a 1,200-pound trip limit (i.e. compared to the current 4,200 pounds in a week at the 600-pound possession limit). Several members of the AP were weary of the potential increase in weekly landings at a higher trip limit—one pointed out that that LAGC IFQ vessels are not held to crew size restrictions.
- A member of the audience suggested maintaining the 600-pound trip limit, and allowing multi-day trips with required lay-over time. For example, a vessel could land 1,200 pounds in one trip, but would be required to lay over in port for two days before being able to fish again. They felt this mechanism would make things more efficient for vessels that are steaming farther offshore and would also maintain the current pace of the fishery with regard to weekly landing potential.

### **Motion 7: Fulcher/Maxwell**

The AP recommends that the Committee develop a range of alternatives for LAGC IFQ limit up to 4,200 lbs per week, with a calendar week of Sunday through Saturday.

*Rationale:* To not exceed more landings than could be done at 600 lbs per day over 7 days. This could promote safety and flexibility, and allow vessels to be able to bring trips back to their homeport, and reduce time as transient vessels.

The motion failed on a show of hands: 5-8-0.

#### Discussion on Motion 7:

- A member of the AP in support of Motion 7 felt that this would make it worthwhile for vessels from Massachusetts to fish in the MAAA because they would be able to land a weekly limit all at once in their home port, as opposed to having to stay in other ports when fishing distant access areas.
- Another AP member did not support Motion 7 due to how it could move the LAGC IFQ fishery away from the Amendment 11 vision statement. They felt that being able to land a weekly limit in one trip would change quota lease and purchase opportunities and would generally limit opportunity for small vessels. They felt a higher limit or some sort of weekly aggregate limit could be reasonable to consider for access areas only, but did not support Motion 7 as described.
- A member of the AP felt that a 4,200-pound weekly limit would be worth considering, but not a weekly limit that could be landed in one trip.
- A member of the audience supported Motion 7 because it would make it economically feasible for southern vessels to fish one trip per week and bring landings back to their home ports in North Carolina and Virginia.

### **Motion 8: Marchetti/Maxwell:**

The AP recommends that the Committee develop a range of alternatives in Amendment 21 that would consider increasing the LAGC IFQ possession limits in access areas ONLY.

*Rationale:* Look at trip limits at 600lbs, 800 lbs, 1000 lbs, and 1200 lbs. This could improve efficiency when fishing in access areas that require a long steam time to reach.

The motion carried on a show of hands: 10-1-2.

There was no discussion on Motion 8.



## A21 Discussion: Northern Gulf of Maine Management Area

### **Motion 9: Porter/Fulcher**

The AP recommends that the Committee develop a range of alternatives in Amendment 21 for NGOM management measures that would include:

1. Maintaining the TAC split between LAGC and LA that was developed in FW29. This includes:
  - a. First 70,000 lbs to LAGC, then 50/50 split between LAGC and LA.
  - b. LA TAC would be available only for RSA fishing (for now).
  - c. 200 lb trip limit.
2. Maintain the current NGOM boundary line.
3. Develop an RSA for the NGOM management unit using scallops from the NGOM.

*Rationale:* Using scallops from the NGOM to support research in this area would be more equitable than using scallops from GB or the MA to fund research in this management unit.

The motion carried on a show of hands: 13-0-0.

#### Discussion on Motion 9:

- It was noted that a specific plan for a NGOM RSA had not yet been organized, and that the PDT will be relied on during development of such a program.
- A member of the audience suggested that Motion 9 describes status quo management in the NGOM, and felt it would be worthwhile for another option to be analyzed in A21. Specifically, they suggested exploring the DAS allocation to NGOM vessels option that was offered in a comment during the A21 scoping process (i.e. see oral comment from the April 4, 2019 scoping meeting in Gloucester, [Doc.2b](#)).
- Several members of the AP supported writing in measures that would allow for the current management structure of the NGOM to be adjusted if biomass increases past a certain threshold and(or) if the stock shifts north at some point in the future.

### **Motion 10: Vafides/Porter**

The AP recommends that the Committee develop an alternative that would remove the requirement for Maine licensed scallopers with IFQ permits to use their IFQ when fishing in Maine water during the state season.

*Rationale:* IFQ vessels fishing in the state waters fishery are required to use quota when operating in state waters fishery. Create parity for NGOM and IFQ vessels in state waters.

The motion carried on a show of hands: 12-0-0.

*Note:* GARFO staff advised that this change could be made through the state waters exemption program.

### Discussion on Motion 10:

- The maker of Motion 10 explained that NGOM permit holders are able to fish in the Maine and Massachusetts state scallop fisheries under the State Waters Exemption Program, and that the intent of the motion is to extend this provision to LAGC IFQ permit holders.
- Travis Ford (GARFO) explained that this issue is not specific to the NGOM management area and would need to be changed through the State Waters Exemption Program. It was noted that qualification for an LAGC IFQ permit considered landings from both state and federal waters, which is why LAGC IFQ vessels are required to use their quota when fishing in state water fisheries. To change this, a provision would need to be added to the State Waters Exemption Program and it would be incumbent on each state to apply for the exemption after proving that a scallop conservation program is in place for its state scallop fishery.

### **Motion 11: Fulcher/Maxwell**

The AP recommends that the Committee add alternatives for NGOM Management Measures that would include:

1) splitting the TAC between LAGC and LA at 94.5% (LA)/5.5% (LAGC) if the TAC exceeds 1,000,000 lbs or

2) revisiting NGOM allocations for LA and LAGC using the Allocation Policy Directive approved at the January 2019 Council meeting.

*Rationale:* If the biomass in the NGOM increases in the future, consider other ways to allocate the TAC in this area.

The motion carried on a show of hands: 12-1-0.

### Discussion on Motion 11:

- The AP generally agreed that A21 should analyze mechanisms that would manage the NGOM at different biomass thresholds in case the resource shifts north or a large recruitment event occurs there at some point in the future.
- One AP member agreed with the intent of Motion 11, but did not support the motion because it specified a biomass threshold in terms of pounds instead of a relative unit of measurement. Their concern was in seeing the LAGC share of the NGOM going backwards once it reached a certain threshold.
- A member of the audience agreed with this concern, and felt it would be more appropriate to analyze a range of TAC splits at different biomass instead of specifying the threshold a 1 million pounds. They also were hesitant of the idea of revisiting allocation shares every five years.

## 2020/2021 Scallop RSA Priorities Discussion

Council staff briefly reviewed recently funded RSA projects for 2019 and 2020 and presented initial PDT input on potential 2020/2021 RSA priorities, and key points from priorities discussion during the joint AP and PDT meeting the day before. Motions considered by the AP and key discussion points on 2020/2021 Scallop RSA priorities included:

### **Motion 12: Fulcher/Welch**

The AP recommends that the 2020/2021 RSA priorities be ranked as:

1. Survey work
2. Bycatch
3. ESA/MMA
4. Impact of environmental or biological drivers on juvenile sea scallops (predation, wind, etc).

*Rationale:* Survey work is needed to support biomass projections and the development of allocations. Bycatch would include work that examines fishery interactions with yellowtail flounder. ESA/MMA would likely be turtle, but this scope of work could apply to other species. Survey work in can also help support baseline information and monitoring on impacts of offshore wind energy development (before, during, and after construction).

The motion carried on a show of hands: 9-0-0.

### Discussion on Motion 12:

- Several AP members acknowledged that offshore wind development has the potential for being a big challenge for the scallop fishery in the near future. They generally felt that wind developers should be responsible for funding research on the impacts of offshore wind, but also recognized the importance of the scallop fishery looking out for itself and supporting scallop-specific research related to wind development. Council staff reviewed the 2019/2020 RSA priority related to wind impacts and reminded the AP of the projects that were recently awarded that aim to address this priority.
- A member of the audience supported the #8 2020/2021 RSA priority recommended by the PDT that focuses on many aspects of scallop biology (see [Doc.4c](#)). They also felt that the RSA program is underfunded and that the set-aside should be increased, especially when priorities such as research related to offshore wind development are added to the list which could limit the resources available to fund other important research projects.
- A member of the audience suggested that research on the impact of electromagnetics on scallop larvae settlement be prioritized for the 2020/2021 RSA FFO.

## Discussion on Mitigating Impacts to GB Yellowtail Flounder

AP Chair Jim Gutowski directed discussion towards the 2019 work priority “action to mitigate impacts on yellowtail flounder”. The AP was reminded that the Committee tasked the PDT with analyzing the options for reducing GB yellowtail bycatch through either seasonal closures

and(or) reduced hanging ratio requirements. Council staff provided an overview of the Committee tasking and PDT input to date on this priority, as well as an overview of the annual TRAC/TMGC process. Key points from discussion on this agenda item included:

- Council staff reiterated that the seasonal closure alternative considered in FW29 (and presented to the AP) was anticipated to be impactful in reducing flatfish bycatch in both CAII AA and CAII extension.
- A member of the audience cited the downward trend of GB yellowtail in recent years and felt that the scallop fishery should not have developed more restrictions to reduce bycatch considering the suite of pro-active measures already in place to do so. They felt that the AP should push back and say that more measures to reduce GB yellowtail bycatch are not necessary.

*By consensus (#13):* The AP recommends that the Committee recommend that the Council develop time/area closure from August 1 – December 1 to mitigate the impact on GB YT flounder in an upcoming management action if an action is necessary.

*Rationale:* This would include CAII and the CAII ext.

Discussion on consensus statement (#13) was brief. A member of the audience supported the AP taking steps to extend the current seasonal closure. They also felt it is important that the closure not be in place in early December because crews rely heavily on income from trips around this time of year.

## NOAA Update on Shell Stock Compliance Guide and Vessel Replacement Policy

Travis Ford (GARFO) briefly informed the AP of updates made to a compliance guide that is aimed at helping fishermen and dealers when possession and landing in-shell scallops (see [Doc.6a](#)). Mr. Ford reviewed the updated guide and asked that the AP contact him with any questions or input before it is published.

Mr. Ford also gave a brief overview of the vessel replacement policy and recent updates which clarify the criteria that need to be met to justify a vessel replacement (see [Doc.6b](#)). Discussion following the presentation clarified that the vessel replacement policy applies to scallop, groundfish, and monkfish vessels. A member of the audience felt that any changes to this policy should be done through the Council, not through the NMFS. Mr. Ford reiterated that the updated policy is not a rule making, but that it is a clarification of how the NMFS has been interpreting the regulations since the establishment of the LA fishery in 1994.

## Other Business

An advisor asked staff about how anonymous comments are handled during public scoping. They expressed concern that someone could provide input into the process that influences how people think without having to provide their name. Council staff explained that the Council included all letters that came in during the Amendment 21 scoping period when summarizing scoping comments, even if letters were anonymous. Staff noted that comments can be submitted anonymously on federal actions and that the agency considers all input. Staff reiterated that the

AP meeting is an opportunity for the group to be briefed on comments received through the A21 scoping process and that, if there are concerns about anonymous comments unduly influencing the A21 process, this topic could be considered by Council leadership.

No other business was discussed. The meeting concluded at 4:52 PM.