



New England Fishery Management Council

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John F. Quinn, J.D., Ph.D, *Chairman* | Thomas A. Nies, *Executive Director*

MEETING SUMMARY

Scallop Committee Meeting

January 22, 2021

Webinar Meeting

The Scallop Committee met via webinar on January 22, 2021 to: 1) review analyses and recommend preferred alternatives in Framework 33, 2) receive and update on 2021 work priorities and consider a request to change 2021 priorities, and 3) discuss other business.

MEETING ATTENDANCE:

Vincent Balzano (Scallop Committee Chair), Jonathon Peros (Plan Coordinator), Sam Asci (Council staff), Eric Reid, Matt Gates, Emily Gilbert, Mark Godfroy, Melanie Griffin, Peter Hughes, John Pappalardo, Alan Tracy, John Quinn, Mike Sissenwine, Melissa Smith, and Peter deFur.

James Gutowski (AP Chair) was in attendance on the webinar along with approximately 33 members of the public.

The meeting began at 9:04 AM. Scallop Committee Chair Vincent Balzano welcomed the Committee and members of the audience to the webinar. Due to the COVID-19 pandemic, all Council related meetings have been transitioned to webinars including the Scallop Committee and Council meetings. Staff reviewed instructions for participating in the webinar and gave an overview of the goals and objectives for the day's meeting. Mr. James Gutowski (AP Chair) provided a brief overview of the January 21, 2021 Advisory Panel meeting including discussion and motions recommending preferred alternatives for FW33.

Key Outcomes:

- The Committee made recommendations to the Council on final preferred alternatives in FW33.

Meeting materials can be accessed at [this link](#). Audio recordings of the full meeting can be provided upon request.

Framework 33

Following a presentation from Council staff around the range of measures being considered in Framework 33, there was some general discussion around the following topics:

- A Committee member noted that AP discussion about the ability to Closed Area I to support different levels of harvest in 2021.
- There was some brief discussion around the projected decrease in overall revenue for the range of specifications alternatives being considered for FY2021 (i.e., upper bound of \$403 million) compared to revenue in recent years when landings were higher (i.e., over \$500 million).
- There was a comment in support of spreading RSA compensation fishing out to all available access areas and some clarifying discussion around how RSA compensation fishing is administered and monitored – there are no limits set for the amount of RSA compensation fishing that can occur in available access areas, though vessels must declare which area they are fishing in when on an RSA compensation trip, which allows NMFS to monitor compensation fishing spatially.

Action 1 – Overfishing Limit and Acceptable Biological Catch

Motion 1: Griffin/Hughes

That the Committee recommend the Council adopt in Section 4.1, Alternative 4.1.2, Updated OFL and ABC for FY 2021 and FY 2022, as the preferred alternative.

Rationale: This alternative contains the most recent and up to date information on the fishery and represents the best available science. Alternative 2 was supported by the PDT and the AP.

The motion carried on unanimous consent.

There was no discussion on Motion 1.

Action 2 – Northern Gulf of Maine TAC Setting

Motion 2: Patterson/Smith

Recommend that the Council adopt in Section 4.2.2, Alternative 2, first 70,000 lbs of NGOM TAC to LAGC, then 50/50 split between LA and LAGC, as the preferred alternative. Select as preferred:

- Option 2 in Section 4.2.2.1.2- Set NGOM TAC for 2021 at F=0.20 TAC 175,000 pounds, LAGC share 122,500 pounds.
- Sub-Option 1 in Section 4.2.2.2.1 set the NGOM TAC for 2022: F=0.20 TAC 74,000 pounds, LAGC Share 72,000 pounds. The Stellwagen Bank closure would remain closed until the next action will open the area.

Rationale: Fishing the NGOM at F=0.2 is a conservative approach, which has been a stated goal of this area and fleet as we strive to rebuild the NGOM scallop area.

The motion carried on unanimous consent.

Discussion on Motion 2: The Committee highlighted how the FY2021 default NGOM TAC will be greater than the TAC associated with the preferred option in Motion 2 and urged Council and NMFS staff

to communicate this to NGOM stakeholders given the potential pound-for-pound payback that would occur if the updated FY2021 NGOM TAC is exceeded.

Action 3 – Fishery Specifications

Motion 3: Griffin/Smith

Move the Committee recommend the Council select in Section 4.3, Alternative 4.3.5 - Four Access Area Trips, with 1 trip to the Mid-Atlantic Access Area and Option 4.3.5.1 – Open Areas Fished at F=0.3 (24 DAS). This would allocate the following:

- 1 trip to Mid-Atlantic Access Area
- 1.5 trips to Nantucket Lightship – South Access Area
- 1.5 trips to CAII-SW + CAII-Ext Access Area
- FT LA trip limit of 18,000-lbs.

CAI would remain a rotational area designated for LAGC Access Area trips and RSA compensation fishing only. In addition, allocate 1 trip to the MAAA as a default measure for FY2022.

Rationale: Need to harvest the aging scallops in both Mid-Atlantic and NLS-South or risk foregoing exploitable biomass. There is uncertainty around likelihood of a trip in Mid during FY2022 is likely underestimated so having only 1 trip in 2021 improves that potential balance of access between FY2021 and 2022. This also starts a transition to resource out on eastern GB where biomass is expected to increase even with the allocated level of fishing. Maintaining the CAI boundary and making it eligible for only LAGC IFQ AA trips and RSA compensation fishing will give both the LA and LAGC components an opportunity to fish there at a limited level if vessels elect to do so. The Scallop PDT recommends setting DAS at 24. DAS and AA recommendations attempt to balance providing for meaningful open bottom fishing in 2021 and 2022, while recognizing that realized F is often higher than what is projected. FY2022 default is in addition to the standard default measures. Ideally, new specs and allocations will be in place on April 1, 2022.

	Yes	No	Abstain	Recuse
Scallop Committee				
Vincent Balzano, CT (Chair)				
Melanie Griffin, MA (VC)	YES			
Matt Gates, CT	YES			
Cheri Patterson, NH	YES			
Mark Godfroy, NH	YES			
Melissa Smith, ME	YES			
John Pappalardo, MA	YES			
Emily Gilbert, GARFO	YES			
Dr. Michael Sissenwine, MA	YES			
Dr. John Quinn, MA				
Eric Reid, RI	YES			
Alan Tracy, ME	YES			
Peter Hughes, MAFMC	YES			
Peter deFur, MAFMC	YES			
TOTAL VOTE	12	0	0	

Discussion on Motion 3:

- There were several comments from industry members and industry representatives around Motion 3. One comment highlighted the tradeoffs of the range of specifications alternatives as it relates to which access areas should be allocated 1.5 trips versus 1 trip. Several comments referenced the AP's recommendation for allowing a half trip in the NLS-South to be flexed to Closed Area I and voiced support for this option because they felt it maintains equity between the LA and LAGC components.
- One AP member suggested that a flex option would allow for vessels to fish part of their NLS-South allocation in another area in a scenario where the full allocation to the NLS-South cannot be harvested. Several Committee members noted that there is not enough biomass in CAI to support a flex trip, and that if there is interest in allowing for part of the NLS-South allocation to be flexed, a larger conversation would be needed around which area could support the additional effort.
- There was some discussion around the average size of the scallops in the NLS-South relative to the selectivity of the 4" ring – while size does vary, all scallops in the NLS-South are part of the same year class, and the commercial dredge has been effective at retaining scallops due to the extraordinarily high densities where the large year class persists.
- With regard to the concerns raised by members of the AP and public on potential to not be able to achieve the 9 million pounds of landings in the NLS-South, several Committee members noted that allocations are not guarantees. One Committee member gave the example that their uncaught groundfish allocations do not roll over into the next fishing year.
- It was noted that Motion 3 includes one default access area trip to the MAAA in FY2022, which was consistent with the recommendation from the AP from the previous day's meeting.

Action 4 – LAGC IFQ Access Area Allocations

Motion 4: Griffin/Patterson

Recommend that the Council adopt in Section 4.4, Alternative 2 (4.4.2), Update LAGC IFQ Access Area Trip Allocations, Distribute Closed Area II Access Area Allocation to CAI Only, as the preferred alternative. The access area trips would be:

- 571 in the MAAA
- 856 in the NLS-South
- 856 in CAI

Rationale: Move Georges Bank trips to an inshore area for access by the LAGC. This is important during COVID so vessels don't have to become transient to fish in access areas. These trip levels correspond with Alternative 5 in Action 3.

	Yes	No	Abstain	Recuse
Scallop Committee				
Vincent Balzano, CT (Chair)				
Melanie Griffin, MA (VC)	YES			
Peter deFur, MAFMC	YES			
Cheri Patterson, NH	YES			
Mark Godfroy, NH	YES			
Melissa Smith, ME	YES			
John Pappalardo, MA	YES			
Emily Gilbert, GARFO	YES			
Dr. Michael Sissenwine, MA		NO		
Dr. John Quinn, MA				
Eric Reid, RI	YES			
Alan Tracy, ME	YES			
Peter Hughes, MAFMC		NO		
Matt Gates, CT	YES			
TOTAL VOTE	10	2	0	

Discussion on Motion 4: With regard to LAGC access to Closed Area I, a representative of the full-time limited access fleet noted industry concern around allowing one part of the fishery into an access area that wouldn't otherwise revert to open bottom or remained closed to the entire fishery. They also noted that CAI has typically been a productive area over time, and felt that allowing only LAGC access area trips in CAI was not following the best scientific information available. Further comments from the public referenced the guidelines for rotational management that were defined in Amendment 10, and felt that Closed Area I would likely be candidate for open bottom based on those guidelines. A member of the Committee noted how this comment speaks to the need for an evaluation of the rotational management program.

Action 5 – Measures to Reduce Fishery Impacts

Motion 5: Griffin/Hughes

Recommend that the Council adopt in Section 4.5.1, Alternative 2 (4.5.1.2), allow RSA compensation fishing in open areas and the Mid-Atlantic Access Area, NLS-South, Closed Area II, and Closed Area I, with limited RSA compensation fishing in the NGOM Management Area, as the preferred alternative.

Rationale: Allows flexibility to use RSA compensation pounds in all open rotational areas. Diversity of where you can fish the RSA trips.

The motion carried on unanimous consent.

Motion 6: Hughes/Gates

Recommend that the Council adopt in Section 4.5.2, Alternative 2 (4.5.2.2), Extend Seasonal Closures of Closed Area II Access Area through November 30th in FY 2021, Include CAII-Ext in Seasonal Closure, as the preferred alternative.

Rationale: Sub-ACLs for Georges Bank yellowtail and Northern windowpane are low, and the fishery should be proactive in working to reducing bycatch.

The motion carried on unanimous consent.

There was no discussion on Motion 5 or Motion 6.

2021 Priorities Discussion

Under the 2021 Priorities agenda topic, the Committee discussed recent correspondence from the Scallopers Campaign requesting that the Council reconsider the list of 2021 priorities to include listening sessions for leasing in the LA fishery. Representatives of the Scallopers Campaign reiterated their request on behalf of a group of industry members that support the Council moving forward with listening sessions in 2021 and expressed disappointment that this topic was not prioritized in October considering both the AP and Committee recommendations to do so. Some on the Committee were supportive of looking into the issue through the Council process, while others on the Committee felt that nothing has changed since the Council's October meeting that would indicate the Council should change its position on a leasing priority in 2021. A member of the public representing several small boat and shoreside operation owners in New Bedford, MA voiced concerns around what they believe will be the negative effects of leasing to the scallop industry, and felt that the Council should continue focusing on other issues that will benefit the entire scallop fishery through resource preservation and improving the science used in management.

There was some brief discussion on another letter (dated January 15, 2021) sent by the Scallopers Campaign to NMFS leadership, requesting that the leasing issue be addressed through a secretarial action – GARFO staff noted that they are still in the process of reviewing the petition for rule making and that a letter would be sent to the Council on the matter in the future. A member of the public was perturbed by the petition for rule making and did not support the idea of circumventing the Council on such a major issue.

Other Business

No other business was discussed. The meeting adjourned at 12:04 pm.