



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

FINAL MEETING SUMMARY

Scallop Committee Meeting

Sheraton Four Points – Revere, MA

April 1, 2015

The Scallop Committee met on April 1, 2015 in Revere, MA to make recommendations for the Council to consider on three issues: 1) review the draft action plan for Amendment 19 and discuss the possible range of alternatives; 2) review a draft white paper on the inshore scallop fishing issues and discuss ideas for a future workshop; and 3) have an initial discussion of research priorities for 2016 RSA funding announcement. All of these issues will be reviewed by the full Council at the June 2015 meeting.

MEETING ATTENDANCE: MaryBeth Tooley (Chairman); Richard Robins (Vice Chair); Mark Alexander; Peter Christopher; Jeff Kaelin, John Pappalardo; David Pierce; Dave Preble; John Quinn; and Michael Sissenwine

Committee member absent: Peter Kendall

Deirdre Boelke (NEFMC staff); Travis Ford (NMFS GARFO staff); and Gene Martin (NOAA General Counsel). In addition, approximately 15 members of the public attended.

KEY OUTCOMES:

- The Committee reviewed the draft action plan for Amendment 19 and passed two motions related to development of the action and one consensus statement to clarify several alternatives that will be developed further.
- The Committee did not have a full discussion of the draft white paper on the inshore fishing issue primarily because the AP did not discuss the issue in detail yet. The Committee prefers if the AP meets first to further clarify the issue and recommendations for discussion topics for a potential workshop on the issue. This topic will be moved to the next meeting agenda.
- The Committee had an initial conversation about potential research priorities for the 2016 RSA announcement and considered on AP motion on the subject.

AGENDA ITEM #1: REVIEW AND DISCUSS AMENDMENT 19

PRESENTATION: DEIRDRE BOELKE, NEFMC STAFF, SCALLOP PDT CHAIR

Staff summarized the Draft Action Plan for Amendment 19 including a summary of the potential range of alternatives and various timelines. Staff summarized a handful of issues that were

discussed by the AP the previous day and the Committee agreed these issues should be clarified in the draft EA (See AP Meeting Summary, March 31, 2015). The Committee agrees this action should be narrow so it does not get bogged down with other issues.

PRESENTATION: TRAVIS FORD, GARFO STAFF, SCALLOP PDT MEMBER

Mr. Ford gave a presentation on the process used in Alaska for timing of groundfish specifications. He highlighted some important differences and similarities between the processes. For example, some drawbacks of the process used in Alaska are that the proposed rule does not include the actual measures that will be in place, which can limit some public comment opportunity, and the actions would have to be more limited to specifications only.

The Committee reviewed the draft action plan and developed two motions and a consensus statement to provide specific input on what the draft goals and objectives should be, as well as input on several potential alternatives that will be developed further.

1. MOTION: PIERCE/KAELIN

Identify the goal of this amendment to be to develop an approach to enable scallop specifications be implemented for March 1.

Vote: 9:0:0, carried

2. MOTION: ROBINS/QUINN

Two main objectives for this action are:

1) Prevent negative economic impacts on the fishery and biological consequences from late implementation

2) Reduce administrative burden associated with late implementation

Vote: 9:0:0, carried

Discussion on the Motions:

The overall goal of this action will be to develop measures that are expected to help fishery specifications be implemented on or near March 1. Input from the industry has been that there are negative consequences on the fishery and the resource if specifications are delayed into the fishing year. Having them in place in April or May is better than June or later, but input from the industry is still that March 1 should be the goal. It was clarified that the objectives of this action should be to address negative economic impacts as well as administrative costs associated with late implementation. The ideal solution will address both objectives.

The Committee also reviewed the draft range of alternatives listed in the action plan. Overall the Committee thinks the full range should be developed further with several adjustments described below. First, another alternative should be added to include a specification setting process. Currently the scallop regulations specify that allocations be set by framework. If a specifications process was added then the Council could simply develop a specifications document (not a framework) and there would likely be some time savings. Next, the Committee briefly reviewed the “menu approach” described in the draft white paper from 2011. The first impression of the Committee is that this would reduce flexibility and would require a lot of analysis up front. They

support leaving the alternative in for now, but identified it with lower priority for the PDT if it becomes very time consuming to develop and analyze.

Next the Committee discussed the alternative that would change the start of the fishing year and recommended that the alternative only be April 1, because the industry is still very opposed to May 1. There are several options in the document that do not require a change in the regulations and in the next draft those should be separated out for clarity. For example, timing of the federal survey is not a measure that would require changes in fishing regulations, but it could allow for some time savings overall if surveys were done simultaneously. For example, if the federal dredge survey was conducted on industry vessels, the habcam portion of the federal survey could be conducted on a different vessel (UNOLS vessel R/V Sharp).

There was some discussion following a conversation at the AP meeting the prior day related to the potential use of interim/final rule making. The question was asked whether skipping the proposed rule phase and going to interim/final rule was a plausible tool for setting scallop specifications. Mr. Gene Martin explained that the interim/final process is meant to be an exception, and not the rule. Therefore, if an action is anticipated or if it is significant enough it would not be advised to skip the proposed rule process. It seems that setting annual specifications would be a regularly scheduled event that would take place every year or every two years, thus does not seem to fit with the intent of interim/final rule making.

By consensus, the Committee clarified several alternatives for further development:

- 1) add an alternative that would develop a separate specifications process for setting scallop fishery allocation (different than current framework process for setting specifications.*
- 2) leave "the menu approach" in for now for further development, but not as a priority.*
- 3) clarify the alternative to change of the start of the fishing year alternative to April 1 only, exclude May 1 option.*

AGENDA ITEM #2: PROVIDE INPUT ON DRAFT WHITE PAPER ON INSHORE SCALLOP ISSUE AND DISCUSS NEXT STEPS

Staff briefly reviewed the draft white paper the PDT has been working on. Because the AP was not able to have a detailed discussion of this issue at their meeting the prior day the Committee decided to delay their conversation until after the AP could discuss in more detail. This agenda topic should be moved to the next round of meetings. Hopefully a workshop can be planned before the Committee needs to focus on completing Amendment 19 and Framework 27.

AGENDA ITEM #3: INITIAL DISCUSSION OF RESEARCH PRIORITIES FOR 2016 RSA

The Committee briefly reviewed the list of priorities from last year. In general it was discussed that the current list is very long and one strategy may be to keep a long list, but each year identify the highest issues and elevate those in the announcement. The Committee discussed the AP motion related to a suggestion to improve the feedback loop of final results into the management process and passed a similar motion.

3. MOTION: KAELIN/PAPPALARDO

The Committee recommends to the council that Scallop RSA recipients be required to present the final report to the scallop PDT (as a condition of the grant award), including a summary of the implications of that research, these summary reports would also be made available to the Scallop AP and Committee.

Vote: 6:0:2, carried

Discussion on the Motion:

The Committee agreed that more time should be spent brainstorming ideas about how to improve that part of the process. The Scallop RSA program has evolved into a large research program with relatively large demands in terms of review of applications, selection of awards, review of results, and finally dissemination of results. Several Committee members spoke about wanting to formalize the final report phase of this program so that project results do not get lost. The process needs to keep better track of these projects to ensure that the results get used. The Committee ultimately passed a motion similar to the AP motion on this subject. The intent of the motion is to formalize the end phases of these projects. The sense of the Committee is that the early phases are spelled out in terms of the review of applications and selection of awards, but not enough resources are being spent on monitoring the research and disseminating the results back to the PDT, industry, and the Council.

One Committee member suggested that this is a very valuable fishery and research program so a simple research priority list is not sufficient; a thorough research plan is probably what is needed. Because applicants are sending in proposals separately there is duplication and potentially less collaboration because of how the program is set up as individual grants. Some research programs use a pre-proposal process that may reduce duplication and improve overall collaboration. He suggested that the PDT should try to develop a full research plan that covers all the important topics. This discussion lead into a larger discussion about how the current Research Steering Committee (RSC) is used, and if it is the most appropriate body to review RSA final reports and determine if they are technically sound for use in management. The Chair of the RSC Committee is also on the Scallop Committee so this conversation will likely come up at future RSC meetings as well.

The Scallop Committee meeting adjourned at approximately 1:30 p.m.