



New England Fishery Management Council

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

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

MEETING SUMMARY

Scallop Committee

Waypoint Event Center, Fairfield by Marriott, New Bedford, MA
September 20, 2017

The Scallop Committee met in New Bedford, MA on September 19, 2017 to: (1) review and discuss 2017 scallop survey results, preliminary biomass estimates, meat quality, and fishery data, (2) discuss potential fishery specification alternatives to be developed further in Framework 29, (3) review and discuss Northern Gulf of Maine survey results and management measures, (4) receive a presentation on the LAGC IFQ Program Review, (5) provide input to Committee for potential scallop work priorities for 2018, (6) discuss if there are regulations in the Scallop FMP that could be eliminated, improved, or streamlined based on recent Executive Orders, and (5) discuss other business.

MEETING ATTENDANCE: John Quinn (Council Chair), Mark Alexander (Scallop Committee Chair), John Pappalardo, Melanie Griffin, Cheri Patterson, Peter Kendall, Terry Stockwell, Peter Christopher, Peter Hughes, Roger Mann, and Jonathon Peros (PDT Chair).

Jim Gutowski, Chair of the Scallop Advisory Panel, was in attendance along with approximately 20 members of the public.

SUPPORTING DOCUMENTATION: (1) Meeting Memo from Scallop Committee Chair, Mr. Mark Alexander, (2) Scallop Framework 29—(a) Draft Framework 29 Action Plan, (b) FW29 Discussion Document, (c) Northern Gulf of Maine Management Measures Discussion Document, (d) Flatfish Accountability Measures Information, (e) Draft 2017 survey biomass estimates, (3) Scallop PDT meeting summaries—(a) June 27, 2017 Scallop PDT meeting summary, (b) July 21, 2017 Scallop PDT meeting summary, (c) August 29 & 30 Scallop PDT meeting summary, (d) September 12, 2017 Scallop PDT meeting summary, (4) Draft of list of Potential 2018 Priorities for Scallop FMP, (5) 2018/2019 Scallop RSA Federal Funding Opportunity, (6) Correspondence, and (7) LAGC IFQ Fishery Program Review.

KEY OUTCOMES:

- The Scallop Committee reviewed 2017 survey information and tasked the PDT with multiple SAMS runs and analyses relevant to FW29 specifications.
- The Scallop Committee tasked the PDT with the development of Northern Gulf of Maine management measures that address how the TAC may be split in 2018 and 2019, and the harvest strategy for the LA component's share.

The meeting began at 9:32 am. Mark Alexander, Committee Chair, welcomed members of the Committee and public to the meeting. Following introductions of Committee members and members of the public, Council staff reviewed the schedule of upcoming Scallop meetings:

- Scallop PDT meeting – Boston, MA on September 25th
- Council meeting September 26 – 28.
- Scallop Report on Thursday at 9:30am.
- SSC meeting on October 12th (OFL/ABC)
- AP and Committee – Boston, MA on October 25th/26th
- AP and Committee – Boston, MA on November 29th/30th
- FW29 Final Action – December Council Meeting
 - December 5 – 7 in Newport, RI
- Target implementation date for FW29: April 1, 2018

The PDT will review the first SAMS runs for 2018 exploitable biomass at their September 25th in-person meeting in Boston, MA.

2017 survey results, preliminary biomass estimates, meat quality, and fishery data

PART I—Summary of 2017 surveys:

Five survey groups surveyed the entirety of the Georges Bank and Mid-Atlantic scallop resource in 2017. Additional RSA funding was put towards two surveys of the southern portion of the Northern Gulf of Maine management area (NGOM). Overall, survey findings did not detect strong signals of recruitment into the resource in 2017.

The VIMS dredge survey covered the Mid-Atlantic, Nantucket Lightship (NLS), and Closed Area II (CAII) access area and extension. Survey findings suggests scallops in ET-closed and NLS-AC-S continue to grow slower than expected, which is consistent with 2016 findings.

The SMAST drop camera survey completed a broad scale survey of Georges Bank and the Mid-Atlantic, with high-resolution surveys of the Elephant Trunk (ET), Closed Area I (CAI), and CAII access area and extension. The CAI ‘sliver’ is holding high densities of 7-year-old scallops. High densities were observed in ET-closed, NLS-AC-S, NLS-NA, and NLS-ext. Animals in these high-density areas seem to be growing slower than expected. Some recruitment (scallops < 75 mm) was observed along the western boundary of ET and DMV, as well as in CAII extension and Long Island (LI).

WHOI surveyed the northern portion of CAII including the Northern Edge HAPC using HabCam v5. The majority of exploitable scallops were observed in the Northern Edge portion of the survey. Survey findings suggest there to be several cohorts of scallops within the survey area.

CFF surveyed the NLS using HabCam v3. The highest densities and majority of biomass were observed in NLS-AC-S and NLS-NA. Animals in NLS-AC-N were mostly > 100 mm. Biomass in NLS-ext seemed to be driven by a small, high-density aggregation; these findings were corroborated by findings from both the VIMS and SMAST surveys in this area.

The NEFSC survey covered Georges Bank and the Mid-Atlantic using a survey dredge and HabCam v4. Besides some along the northern edge, no recruitment was detected across the

resource. High densities of 5-year-old scallops were observed in NLS, Hudson Canyon (HC), and ET. Survey findings suggest that slow growth in high density areas continues to be an issue.

PART II—Summary of PDT discussion to date:

Analysis performed by the PDT has investigated LPUE, market grade, and ex-vessel prices in FY2017. Open-area LPUE in FY2017 was driven initially by NGOM landings and then sustained by fishing off Long Island; LPUE has been much higher this year than in FY2014-2016. Cumulative landings and market grade by week for access and open-area fishing shows predominantly 10/20 count scallops being landed in open areas, U10's in the NLS, and 20/30 counts in the MAAA. A linear model of FY2017 (through July) average ex-vessel market price shows a decreasing trend across access area and open area fishing.

Based on 2017 survey findings and fishery data, the PDT has identified the following issues and recommended solutions:

- Continuation of slow growth in high density areas, particularly in NLS-S, NLS-NA.
 - The PDT is recommending using SH/MW parameters from 2016/2017 VIMS data for the NLS-S and NLS-NA closure.
 - The PDT is recommending modifying growth parameters in NLS-S and ET-Flex based observations slow growth.
- The PDT is recommending using Hennen and Hart SH/MW for all other areas.
- Dredge efficiency in high density areas remains an issue.
 - Will be addressed at 2018 benchmark.
- 2017 survey biomass estimates reflect proposed changes to SH/MW estimates.
 - The net result of these changes are more conservative estimates of overall biomass.

Based on a review of preliminary biomass estimates, the PDT suggested that combining CAII AA and CAII extension could allow for a trip to this area in FY2018 (CAII extension could be reopened for FY2019). Because Georges Bank yellowtail flounder bycatch will continue to be an issue here, the PDT is working to consider different seasonal closures in CAII extension than in CAII AA.

The 7-year-old scallops observed in CAI 'sliver' seemed to be healthy and are ready to be harvested; however, this area is currently not available to the fishery (contingent on OHA2 final rule). The PDT supports access to CAI if the AA boundary is expanded to include the biomass that has been observed in the "sliver" area. It was noted that meat quality in CAI tends to decline in the fall.

The PDT is seeking input on potential management approaches for the NLS given the observed high-densities and slow growth of animals in the 2017 surveys. The PDT noted that biomass in the NLS-AC-N is not likely enough to support a full trip in FY2018, but would possibly be enough to support a full trip in FY2019. The PDT does not support combining biomass from other areas to justify higher overall landings that are expected to come from NLS-AC-N.

Biomass estimates from the MAAA suggest that this area could support multiple trips in FY2018. The PDT is seeking guidance from the AP and Committee on how to align access to the MAAA while keeping in mind the potential growth issues in high-density areas and observed recruitment along the western edge of ET and DMV.

Open area recruitment was unremarkable in 2017, suggesting that the large 4-year-old cohort in the resource now may be needed to sustain open area fishing for the next several years. In light of this, the PDT recommends that a lower target F rate be set for open area fishing in FY2018.

The PDT will review the first SAMS model run at their in-person meeting on September 25th. SAMS model runs will be presented to the AP and Committee at their October meetings, where input will be sought on FY2018 alternatives (i.e. ideas for access area trips, ideas on open area fishing, RSA compensation fishing). The SSC will meet on October 12th to recommend the OFL and ABC limits for Framework 29 specifications.

Committee discussion:

The Committee, Council staff, and GARFO staff discussed how the timing of OHA2 could impact the timeline for scallop management, specifically Framework 29. It was noted that without a certain timeline for OHA2, the PDT is limited to reconfiguring potential access area boundaries and preparing exploitable biomass estimates until OHA2 is implemented. Further, if tasked by the Committee, the PDT could prepare SAMS runs for the CAI ‘sliver’ and NLS-NA (top priority areas for access post-OHA2) for the October AP and Committee meetings. Council staff outlined a potential scenario where FY2018 allocation is set based on the resource currently available to the fishery, and then develop a supplemental impact review in case a final rule comes through for OHA2 before or during FY2018. GARFO staff explained that there is a 90-day comment period between the published rule and final decision date, and that the current goal is to have a final rule published prior to January 2018. Further, the Council will be notified if part or all of the final rule is passed. A member of the Committee reiterated that the 7-year-old scallops in CAI need to be harvested as soon as possible, and that the NLS-NA is expected to hold substantial exploitable biomass in FY2018.

Michael Bomster, member of the Scallop AP, asked what the cutoff date is for a final rule of OHA2 so that access to CAI and NLS can be included in FW29 and whether or not an emergency action could be done to get access. GARFO staff explained that the Council is able to develop measures based on what is approved, and doesn’t need to wait for a final rule to be published. It was also noted that FW29 would potentially need contingent measures if certain areas (i.e. CAI, NLS) of OHA2 were not approved. Furthermore, the timeline of an OHA2 final rule does not meet the criteria for an emergency action.

In reference to fishery data reviewed, Committee Chair Mark Alexander noted that NGOM fishing contributed to high LPUE early in FY2017, but that it likely would still have been high if NGOM fishing hadn’t occurred based on the productive open-area off Long Island that continues to be fished.

“Effective Biomass and Atypical Growth: Considerations for 2018 Fishery Specifications” — Dr. Dave Rudders (VIMS)

Dr. Dave Rudders synthesized 2017 survey data relevant for the AP and Committee to consider as they begin to form Framework 29 specifications. Overall, it was noted that the resource is in good shape, but that there are some caveats to be aware of when contemplating the outlook for FY2018 (i.e. implications of nematode prevalence on directed effort and market quality, slow growth in high-density areas, lack of recruitment). Key points of the presentation were:

- The resource appears to be in good shape although limited recruitment was observed.
- Data suggests that nematode distribution did not appreciably expand in 2017 from levels observed in 2016.
- Scallop growth, while variable in the NL-S and ET-Flex, appeared to be below expectation. A large portion of the total resource wide biomass is contained in those areas.
- Both nematodes and slow growth in the NL-S and ET-Flex are issues to be considered for 2018 specifications.

Committee discussion:

Upon inquiry from the Committee, Dr. Rudders explained that the nematode is a typical species as seen in other species of scallop. The lifespan of the nematode in scallops (the intermediate host) goes through an additional two stages, and then the nematode is expected to be consumed by a turtle. Though the general life cycle is known, some finer details of the nematode are still not fully understood yet (i.e. the lifespan of a nematode in the GI tract of a turtle).

Another member of the Committee noted that potential recruit classes (25 mm and 50 mm animals) observed in the 2017 surveys were not seen in high density areas, and asked if there is an impediment to recruitment in high-density areas. Dr. Rudders was unsure, but noted that, because most observed recruitment was further inshore, it's likely that recruitment just did not overlap with the high-density areas in question.

Discuss potential fishery specification alternatives to be developed further in Framework 29

Continuing previous discussion around the timing of OHA2, Travis Ford (GARFO) offered a theoretical timeline; upon transmittal date, there will be a 95 day period where NMFS will review comments before the decision date. It was noted that if a final decision is not made within the 95 day period, the Amendment will be accepted as final. Also, sections of OHA2 (i.e. SNE/MA, Georges Bank, Gulf of Maine) will either be approved or disapproved, meaning that NMFS is not able to hold back certain sections for further review. It was also noted that any alternatives of concern will be flagged prior to a proposed rule so that the public is aware.

Prior to reviewing motions from the previous day's AP meeting, the Committee was asked to focus on the rationale, noting that the AP expressed great interest in gaining access to the CAI 'sliver' and NLS-NA pending the implementation of OHA2. Council staff explained that once the SAMS model is initialized, performing model runs for a post-OHA2 fishery would not be difficult, whereas changing SAMS area boundaries would create substantially more work.

Motion 1: Patterson/Hughes

- A) Move that the Committee direct the PDT to add a run considering: 5 total AA trips. 1 trip in CA II (including the ext), 1 trip in Nantucket Lightship (include the N, S, ext, and NA), 1 trip in CAI (include CAI and CAI-N-NA), 1 trip in ET-Flex, 1 trip in MAAA.
- B) Move that the Committee direct the PDT to add a run considering: 5 total AA trips. 1 trip in CA II, 1 trip in Nantucket Lightship, 3 trips in MAAA (with no Flex boundary). Make the NLS-ext, the CAII-ext, and Delmarva open bottom, and set DAS at $F=0.4$ and $F=0.48$. Consider a seasonal closure of the current CAII-ext area to protect yellowtail founder.
- C) The Committee also directs the PDT to develop an alternative that would allocate a trip with a fixed number of pounds to each FT LA vessel (with corresponding allocation to LAGC IFQ), which would have to come out of the NLS-S exclusively.

Rationale:

- a) This will require implementation of OHA2, and focus industry, NMFS, and NEFMC on the importance of getting habitat implemented by the 2018 FY. The Committee is looking for access to NLS with or without access to the NLS-NA. Aim for a full trip in CAI for all FT LA vessels. The PDT has recommended lowering F in open areas, and to make that palatable we are recommending more trips in access area.
- b) Lifting the flex boundary improves flexibility and safety and allows transit across that area for both GC and LA. The seasonal closure of CAII-ext is intended to proactively address yellowtail bycatch.
- c) The slow growth of the scallops in NLS-S means that these animals are not likely to recruit into the fishery when we would expect them to. There is a very large biomass concentrated in this area, and the animals in the area at 5 years old. There are some animals that are growing normally, and there could be financial and potentially biological benefits. This would be a one year, finite allocation.

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

Discussion:

Motion 1 combined several tasking motions brought forward by the AP in their meeting the previous day. On Committee member suggested that the SAMS model runs for $F = 0.4$ and $F = 0.48$ could present very different DAS recommendations based on whether or not the NLS-ext is part of open bottom vs. part of NLS AA. The initial F projection for FY2017 (part of FW28 specs process) was exceptionally high in NLS-ext because of the very high-density aggregation observed in a very small portion of this SAMS area. For instances where this occurs, it is possible to set F manually for SAMS model runs that may more accurately portray fishing in the following year. It was noted that parts A and B of Motion 1 will describe how opening NLS-ext or keeping it as part of the access area will affect DAS projections.

Committee discussion clarified that the intent of AP Motion 3 (model runs with $F = 0.4$ and $F = 0.48$) was to give a range of DAS options, ultimately informing a recommendation for lower DAS in FY2018.

Motion 2: Hughes/Mann

Move that the Committee direct the PDT to develop alternatives to expand the NLS access area to the west, following the footprint of the NLS-NA area.

Rationale: Modifying AA boundaries is needed to facilitate access to areas that may open through OHA2. Modifications to the NLS Access Area boundary are contingent upon the final rule of Omnibus Habitat Amendment 2.

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

The Committee engaged in a brief discussion on what steps need to be taken to facilitate access to areas that may open if/when OHA2 is implemented. Motion 2 was specific to facilitating access to the current EFH portion of the NLS.

Motion 3: Pappalardo/Kendall

Move that the Committee task the PDT to determine how many DAS we could have that would allow us constant open bottom harvest of scallops for next 4 years.

Rationale: We have no recruits in open areas and need to survive at least 4 years on the open bottom biomass.

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

The Committee was in agreement that, due to the current state of open-area fishing and lack of incoming recruitment, DAS should be managed so that the current available biomass can sustain open-area fishing for the next several years.

Northern Gulf of Maine survey results and management measures

Committee discussion moved towards PDT work to date and survey findings from the NGOM in 2017. The PDT is still developing an estimate of 2018 exploitable biomass in the area. It was further noted that Committee input is needed on two main items with regard to the NGOM: (1) how to split the NGOM TAC between fishery components, and (2) developing a harvest strategy for Limited Access vessels operating in NGOM in FY2018.

Results from the SMAST drop cam survey of Stellwagen Bank noted a mean shell height of ~100 mm and total exploitable biomass of approximately 500,000 lbs. It was noted that SMAST did not observe any strong recruitment on Stellwagen.

Results from the CFF HabCam survey of southern Jeffreys Ledge estimated biomass to be roughly 335,000 lbs. On Stellwagen, total biomass was estimated at approximately 1 million lbs with observed shell heights mostly between 95 and 110 mm. Like SMAST, the CFF survey did not observe and strong recruitment on Stellwagen.

Projected exploitable biomass in the NGOM will be estimated using the same methods as in other areas of the resource (using SAMS model); however, NGOM projected exploitable biomass will not be considered in the SAMS model for the rest of the resource. Though exploitable biomass for FY2018 was not available for review, a conservative (with $F = 0.3$) preliminary estimate suggests an overall TAC of a few hundred thousand lbs (as opposed to a few million lbs). As the majority of exploitable biomass is on Stellwagen Bank, the PDT expects the majority of FY2018 fishing effort to be directed there. The PDT recommended that 3-year specifications be considered for this area (FY2018, 2019, default 2020), with the option to revisit them in 2019 if additional survey data becomes available. Also, the PDT recommended VMS declarations and trip limits be considered as harvest controls for all components operating in the NGOM.

Motion 4: Stockwell/Patterson

- a) Move to recommend to the Council that the PDT develop alternatives that would allocate:
 - 70K baseline quota for GC
 - 50/50 GC/LA split of remaining NGOM TAC
 - Require hard TAC for each fishery and daily monitoring
 - Overages will be reduced from the following year's TAC(s)
 - All current GC management measures remain the same
 - Allow GC to start one month before LA,
 - and to request LA fishery to recommend effort control measures prior to next PDT meeting.

- b) Move that the Committee direct the PDT to develop an alternative that would allocate the first ("floor") 95,000 lbs to the GC component, with the remaining TAC split 25% to GC and 75% to LA.

- c) Move that the Committee direct the PDT to develop an alternative that would require calling into the NGOM area, and requiring vessels to only fish in this area on a NGOM trip. Overage would be reduced from the following year's TAC.

Rationale:

- a) Hybrid approach is a Band-Aid until a trialing action can be developed. This motion attempts to balance historic participation, addresses overages if they occur, and keep the process moving.
- b) Need a short term fix, and should use an amendment to fix NGOM issues permanently. The 25%/75% split would not be permanent, and the intent is that this would be revisited by the Council at a later date. There is no recent recruitment of scallops detected in the surveys.
- c) This would apply to LA fishing in the NGOM area.

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

Discussion:

Several members of the public voiced disagreement with a 50/50 split between LA and LAGC components and not allowing access to both components at the same time, noting that this would not be an equitable solution and could serve to further complicate management of the NGOM. Several members of the public supported Motion 4, but described how different start dates for LA and LAGC vessels would not be necessary. One member of the public supported the motion and asked that the FY2017 NGOM TAC underage be paid back to the LAGC component in FY2018. Other members of the public supported the motion but showed indifference between the proposed 50/50 split and the AP suggested split of 75/25. A member of the Committee noted that Motion 4 would not prohibit the PDT from estimated both a 75/25 and 50/50 split of the overall FY2018 NGOM TAC. The maker of the motion agreed to amend Motion 4 to exclude "Allow GC to start one month before LA".

Motion 5: Griffin/Pappalardo

Move that the Committee direct the PDT to develop a concept of allocating the NGOM TAC split to the LA component to the RSA program.

Rationale: In the past there has been RSA allocation to specific areas, there is not enough exploitable biomass in the NGOM to support a full trip in the area for all FT LA vessels.

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

Discussion:

GARFO staff explained that allocating the LA portion of the NGOM to RSA compensation fishing may become a bit complicated, and that this concept must be contemplated by the PDT, Committee, and AP in the future. A member of the Committee expressed support, but clarified that they do not want to unintentionally set a precedent of how the LA portion of the NGOM

TAC is allocated. A member of the public noted that RSA allocated lbs are accounted for in the ACL flow chart, and expressed concern in allocating these lbs to the NGOM because it is not part of the normal ACL flow chart. Council staff acknowledged concerns around the mechanics of this concept, and assured the Committee that the PDT will assess how complicated of a process it will be and if it can be done as part of FW29.

Flatfish Accountability Measures

The Committee received a presentation of the PDT's work to date on flatfish AM development for N. windowpane, GB yellowtail, and SNE/MA yellowtail. A previous tasking motion directed the PDT to focus AM development on gear modifications consistent with the current S. windowpane AM (5-row apron and 1.5:1 hanging ratio), and allowed the PDT to potentially consider seasonal closures. Council staff noted that National Standard 1 guidelines do not specify a target bycatch savings threshold.

Staff presented the GB yellowtail and N. windowpane bycatch savings gained by using the 5-row apron GRA in a given month for open-area fishing on Georges Bank (see [Doc 2c, p.2-3](#)). GB yellowtail and N. windowpane bycatch savings gained by closing CAII AA in a given month were also presented (see [Doc 2c, p.4-5](#)). Open-area bycatch savings for SNE/MA yellowtail will be presented to the AP at the October meeting.

Discussion:

Council staff noted that no comments or motions were required from the Committee on flatfish AM development at present, and explained that the PDT will continue to develop recommendations for the group to consider at their October meeting. It was also noted that the PDT is working to address the potential difference in bycatch seasonality between CAII access area and CAII extension.

2018 Work Priorities Discussion

Council staff directed the Committee towards initial discussion on potential work priorities for 2018, noting that final recommendations for 2018 work priorities will be formed at the October meeting. A draft list of potential work priorities for 2018 is shown in Table 1. Council staff noted that a recent proposal for an Amendment to the Scallop FMP which would create harvester associations is on the draft list.

The PDT's recommendations for potential work priorities in 2018 include:

1. (TOP PRIORITY) Work on modifying access areas after OHA2 is final.
 - a. Animals in CAI 'sliver' will be 8 years old and scallops in NLS-NA are ready to be fished. Increased mortality of scallops in CAII-N has been noted in recent surveys.
2. Investigate monitoring and catch accounting measures for LA and LAGC components (re: LAGC IFQ program review findings on compliance).
3. Investigate how product/market quality issues could be addressed in management given 2017 fishery data.

Table 1. The draft list of potential work priorities for 2018.

DRAFT List of Potential Priorities for 2018
Specifications
Amendment - NGOM management
Amendment to create harvester associations
Gear modifications to protect small scallops
OHA2 follow-up: modify access areas
Measures to address DAS and IFQ carryover
Specify allocation review triggers (NMFS allocation review policy)
Adjustments to scallop IFM observer program
RSA program review and modifications
Monitoring and catch accounting provisions
ONGOING: Scallop RSA program support, in-season bycatch tracking
Scallop benchmark assessment in 2018

Motion 6: Quinn/Stockwell

Move that the Committee recommend that the proposal to consider harvest associations in its current form be removed from the 2018 priority list.

Rationale: Converting DAS to quota would allow for high grading and negative impact on resource, impact on crew and fishing communities, already have a successful fishery.

The motion was withdrawn without objection.

Discussion:

Council Chair John Quinn brought forward Motion 6 to offer the members of the public in attendance a chance to discuss it. He explained his intent to withdraw the motion following public comment and to bring it back up at the October meeting (when the Committee forms recommendations to the Council on next year’s work priorities). Prior discussion of Motion 6, the Committee and public were reminded that 2018 will prove to be an exceptionally busy year for the Scallop FMP due to the many large issues being dealt with (i.e. benchmark assessment, post-OHA2 management measures). The room was also reminded that 2018 work priorities will be officially voted on by the Council at their December meeting.

A member of the Committee noted that many AP members who abstained from the vote the previous day had voiced support for looking in to the proposal to create harvester associations at some time in the future.

Several members of the public in favor of Motion 6 cited described the negative economic and social impacts associated with consolidation and cited the scallop fishery’s success as proof that the current management system is working well. Additionally, it was suggested that the proposal

would promote vertically integrated companies which could change the market as it currently exists. Several members of the public were in support of the motion and the rationale. Many also agreed that the primary issue of consolidation (as outlined in the proposal) could be addressed without changing the rest of the fishery.

Other members of the public were opposed to the motion. Those opposed to the motion that were supportive of the proposal to create harvest associations described the potential benefits gained by the industry, including improving bycatch avoidance, increasing at-sea safety by updating fishing vessels, allowing for more reasonable working hours for crew members, and reducing vessel operating costs via consolidation. Many opposed the motion because they felt that, due to the significant number of stakeholders interested in the proposal, it would be premature to remove this item from the list of potential 2018 work priorities without further investigating the pros and cons of developing harvester associations.

Attorney Stephen Ouellette (representative of harvester association proposal) noted that the proposal aimed to start an initial conversation about the issues faced by the industry, and suggested this item not be taken off the table before potential solutions can be fleshed out. It was also noted that the stakeholder scoping process (as part of Council Amendment development) would open-up the discussion to the industry and help define issues that would benefit the fishery as a whole.

Committee members acknowledged the points made by members of the public around the proposal to create harvester associations, and that it will be discussed by the Council at their December meeting.

Discuss if there are regulations in the Scallop FMP that could be eliminated, improved, or streamlined based on recent Executive Orders

The Presidential administration has identified the goal of eliminating two existing regulations for each new significant regulation that is put in place. The Committee was asked to provide initial input on potential regulations in the Scallop FMP that could be eliminated, improved, or streamlined based on this recent “2 for 1 Executive Order”. The Council will keep track of potential ideas and may consider addressing them in future actions. It was noted that Committee discussion should be focused on existing regulations in the Scallop FMP.

Motion 7: Pappalardo/Quinn

The Committee recommends that the Council discuss the vessel safety act and the clean water act be reviewed for modification, and commercial fishing exemption.

Rationale: For example, these pieces of legislation require vessels to report how they are handling ice from a trip after it lands. The intent is to have the full Council and Executive Committee weigh in on the overall impact this legislation is having or will have on fishing vessels and shore side businesses/infrastructure.

The motion carried on a show of hands. 8/0/0.

Discussion:

AP Chair Jim Gutowski explained the APs rationale for making the original motion: though the vessel safety act and clean water act are not part of the Scallop FMP, regulations within these acts may create notable burden on industry operations (i.e. documenting waste water on deck, preventing disposal of ice at-sea), and would prevent some vessels from being able to fish. Members of the Scallop AP who were in attendance expressed support in addressing these issues by starting a discussion at the Council level. Council Chair John Quinn suggested that this topic may be appropriate for the Council Coordinating Committee (CCC) to discuss, and will make a note at the upcoming Council meeting to include it on the next CCC call. Peter Christopher (GARFO staff) explained that these issues fall outside of the purview of the Council, NOAA, and NMFS, but that the Council could identify these issues for the EPA to handle.

Other business

Committee member John Pappalardo acknowledged a motion brought forward at the AP meeting that recommended increasing the LAGC IFQ trip limit from 600 lbs to 1,200 lbs. He noted that the motion failed at the AP, but that he planned to bring the AP motion forward at the next Council meeting.

The Committee was informed that an industry request to expand or remove the current LAGC IFQ dredge exemption areas is being handled via correspondence between NEFMC and GARFO, and that GARFO will likely be taking action on the request at some point in the future.

No other business was discussed, the meeting concluded at 3:47 pm.