



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

May 28, 2020

Webinar Meeting

The Scallop Committee met via webinar on May 28, 2020 to: 1) develop recommendations for 2021/2022 Scallop RSA research priorities; 2) discuss the impact the COVID-19 pandemic will have on the development of 2021/2022 scallop fishery specifications and other 2020 work priorities; 3) begin discussions around President Trump's Executive Order on Promoting Seafood Competitiveness and Economic Growth; and 4) discuss other business.

MEETING ATTENDANCE:

Vincent Balzano (Scallop Committee Chair), Jonathon Peros (Plan Coordinator), Sam Asci (Council staff), Peter deFur, Melanie Griffin, Cheri Patterson, Matt Gates, Rick Bellavance, John Pappalardo, Terry Stockwell, Mike Sissenwine, Melissa Smith, Emily Gilbert, Mark Godfroy, Peter Hughes, and John Quinn.

James Gutowski (AP Chair) was in attendance on the webinar along with approximately 41 members of the public.

MEETING MATERIALS: Meeting Information: Doc.1a) [Meeting Agenda](#), Doc.1b) [Meeting Memo from Committee Chair, Mr. Vincent Balzano](#), Doc.1c) [Staff presentation on RSA and 2021/2022 Specifications Process](#), Doc.1d) [Remote Participation Guide](#); 2021/2022 Scallop RSA Research Priorities: Doc.2a) [Summary of Recent RSA Awards](#), Doc.2b) [Scallop PDT research recommendations](#); Outlook for 2021/2022 Specifications Process, timing of 2020 scallop surveys: Doc.3a) [Draft Guiding Principles for completing work on 2021/2022 Specifications](#), Doc.3b) [Summary of May 8, 2020 Survey Group Call](#); Doc.4) [Executive Order on Promoting Seafood Competitiveness and Economic Growth](#), Doc.4a) [Staff Presentation](#); Relevant Meeting Summaries: Doc.5a) [May 12, 2020 Scallop PDT meeting summary](#), Doc.5b) [May 19, 2020 RSA Share Day meeting summary](#), Doc.5c) [May 21, 2020 Scallop PDT meeting summary](#); Doc.6) [Correspondence](#)

Key Outcomes:

- The Committee made recommendations to the Council on 2021/2022 Scallop Research Set-Aside research priorities (see Motion 1).
- The Committee discussed the outlook for 2020 in light of anticipated survey data delays and tasked the PDT to produce 2021 exploitable biomass projections based on 2019 survey data (Motion 2).
- The Committee discussed actions that could address Section 4 of the Executive Order on Promoting Seafood Competitiveness and Economic Growth and plans to revisit this topic for further discussion at the June 19, 2020 Committee meeting when more information is expected to be available.

The meeting began at 9:05 AM. 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 AP and Committee meetings. Staff reviewed instructions for participating in the webinar and gave an overview of the goals and objectives for the day's meeting. Council staff provided updates to the Committee on recent PDT discussions and Jim Gutowski (AP Chair) reported out a summary of the Advisory Panel discussion and motions from earlier in the week.

2021/2022 Scallop RSA Research Priority Discussion

The primary goal for the meeting was to develop recommendations to the Council related to 2021/2022 Scallop Research Set-Aside research priorities. Council staff presented background information on the Scallop RSA Program, highlighting recently awarded projects, expected RSA survey coverage for 2020 and 2021, and PDT and AP input on research priorities for 2021/2022.

Motion 1: Hughes/Godfroy

The Committee recommends the Council adopt the following list of Scallop RSA research priorities for 2021/2022:

SURVEYS (Highest Priority)

1. Survey Related Research

Survey results must be available by early August of the year in which the survey is conducted (e.g., survey results that would inform 2022 fishing effort decisions must be available by mid-August 2021). The survey or surveys do not need to be carried out by a single grant recipient. Survey data will be used to develop estimates of total and exploitable biomass to be used for setting fishery catch limits and allocations. Successful projects may be asked to provide data in a standardized format. The primary objective of these surveys would be to provide additional biomass estimates in addition to the federal survey to improve the overall precision of the scallop biomass estimate produced by the Scallop Plan Development Team.

1a. An intensive industry-based survey of each of the relevant scallop rotational areas (Closed Area II, Closed Area I, Nantucket Lightship, Elephant Trunk and Hudson Canyon) that will provide estimates of total and exploitable biomass to be used for setting fishery catch limits under the rotational area management program.

1b. an intensive industry-based survey of areas of importance (i.e., open areas with high scallop recruitment or areas of importance to the fishery). For 2021, the priority areas are where scallop recruitment was observed during 2020 surveys, and areas of the Gulf of Maine that have recently been or are likely to be fished (Stellwagen Bank).

1c. a resource wide industry-based survey of scallops within Georges Bank and/or Mid-Atlantic resource areas.

High Priority Non-survey research

2. Turtles: Research to support the investigation of turtle behavior in the Mid-Atlantic and Georges Bank (via satellite tagging or other means). This could include, but is not limited to, research to understand their seasonal movements, vertical habitat utilization, and the status and range of the population in response to climate change. This research could assist in the collection of data that may be required by current or future biological opinions.

3. Scallop Biology: Research on scallop biology, including studies aimed at understanding recruitment processes (reproduction, timing of spawning, larval and early post-settlement stages, age and growth, and yield), examination of environmental stressors on reproduction and growth, and mass mortality event, i.e. the disappearance of 50 million pounds of scallops in NLS-W. This priority also includes research on natural mortality, such as scallop predation (e.g., starfish, crab, snails, and dogfish), discard mortality, and juvenile mortality events.

General Research Needs (not in rank order)

4. Scallop Recruitment Supplementation: Research to develop the tools, such as spat collection, grow out of juvenile scallops, predator control, and offshore seeding, to supplement natural recruitment of scallops.

5. Bycatch: Identification and evaluation of methods to reduce the impacts of the scallop fishery with respect to bycatch of small scallops and non-target species. This would include projects that determine seasonal bycatch rates of non-target species, characterize spatial and temporal distribution patterns, collect and analyze catch and bycatch data on a near-real time basis, as well as the associated discard mortality rates of key bycatch species. Research efforts focusing on non-target bycatch should provide results that would help the scallop industry avoid pending or potential implementation of accountability measures. Projects should consider the enforceability and feasibility of regulations in the commercial fishery.

6. Gear: Commercial dredge research to improve scallop catch efficiency, improve scallop size selectivity, reduce scallop damage, reduce non-target species bycatch, and to reduce fuel consumption.

	Yes	No	Abstain	Recuse
Scallop Committee				
Vincent Balzano, CT (Chair)				
Melanie Griffin, MA (VC)	YES			
Matt Gates, CT	YES			
Richard Bellavance, RI	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			Abstain	
Terry Stockwell, ME	YES			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	YES			
Peter deFur, MAFMC	YES			
TOTAL VOTE (MOTION 1)	11	0	1	

Discussion on Motion 1: The Committee’s discussion on recommendations for the 2021/2022 RSA research priorities was relatively brief and overall, the group supported the list of research priorities recommended by the AP earlier in the week. There was some discussion on whether it was worth adding the Northern Edge as an area of importance to priority 1b but the Committee recognized that recent surveys of this area have been comprehensive felt they should be reported out before directing more survey effort there. There was some clarifying discussion the why the AP recommended dropping survey dredge efficiency from the priority list and adding commercial dredge efficiency. The Committee noted that the priority on scallop biology was inclusive of projects that might focus on scallop biology in the NGOM. One member of the Committee abstained from Motion 1—they were not opposed to the list of priorities in the motion, but referenced several recommendations from the RSA program review and felt that the prioritization process for the RSA program should be improved.

Impact of COVID-19 on Surveys and 2021/2022 Specifications

The Committee discussed potential timelines for development of 2021/2022 specifications in light of survey data delays as a result of the pandemic. The Committee noted that survey groups start field seasons at different times based on the amount of coverage they are trying to achieve, but that most survey groups have already been delayed beyond the starting date they had originally planned for 2020. Taking final action on 2021 specifications at the January Council meeting would likely delay implementation of updated specifications until mid-May (i.e. month and a half after the start of the fishing year). Council and GARFO staff plan to discuss potential timing scenarios before the June Council meeting. If implementation were delayed beyond April 1, 2021 default specifications would go into place (18 DAS and one 18,000 pound access area trip in the Mid-Atlantic Access Area for FT LA vessels). A representative from Maine DMR announced that the ME DMR dredge survey of Stellwagen Bank planned for 2020 had been delayed indefinitely. The Committee discussed the AP’s input on basing 2021 specifications on 2019 survey data and the tradeoff of using 2019 data with complete coverage as opposed to using 2020 data that may be incomplete. The Committee supported the AP’s recommendation to run projections for 2021 based on 2019 survey data to support future discussions on areas that could support fishing in 2021 (see Motion 2 below). In a scenario where there are significant delays in survey data, several members of the Committee supported moving forward with Amendment 21 between June and September 2020.

Motion 2: Hughes/Pappalardo

The Committee tasks the PDT to produce an exploitable biomass table for all areas for 2021 using 2019 data so that the AP and Committee can evaluate how much effort can be directed to each access area.

Rationale: The Committee feels that this would be a contingency for the 2021/2022 specifications process.

The motion was approved by unanimous consent.

Executive Order on Promoting Seafood Competitiveness and Economic Growth

Staff provided an overview of the Executive Order (E.O.) recently signed by the President related to promoting seafood competitiveness and economic growth. Input from the Committee on recommended actions to address Section 4 of the E.O. would be considered by the Council at their June meeting. The Committee discussed the AP's recommendations from earlier in the week on this matter and expressed hesitation in moving any recommendations forward without further guidance. Overall, the Committee was unclear of how the list of recommended actions would be handled by the Department of Commerce and were hesitant about making recommendations for actions that could potentially circumvent the Council's typical priorities process. Those opposed to moving forward Motion 3 (see below) noted that the "leasing flexibility program for LA scallop fishery" action recommended by the AP has been a controversial topic among the industry in recent years and has not yet been brought to the forefront of Council discussion through the prioritization process. Those in favor of Motion 3 cited that this issue has not been supported as a Council priority in recent years and felt strongly that recommending it as an action to address the E.O. would be a good way to bring it forward for discussion at the Council. An AP member on the webinar and several members of the public spoke in favor of recommending the leasing program action to address the E.O. and offered their perspectives on why there is a pressing need for such a program. Executive Director Tom Nies offered some further clarification on the E.O.'s request to the Council and reiterated the point that any recommended actions would still need to follow the regulatory process in place at present (i.e. addressing changes to FMPs through the Council process). Actions that the Council recommends do not have to be limited to actions that would be typically handled by the Council, NMFS, or the Department of Commerce. Following some differing interpretations of the E.O. by Mr. Nies and a member of the public, it was later clarified that the E.O. calls on the Council to recommend a list of actions by November, and to submit a proposal for how each would be initiated by May 2021 (i.e. not initiate the actions by May 2021). The Council's Executive Committee will be discussing the E.O. prior to the June Council meeting and will likely have more guidance to share at that time. The Committee agreed to postpone discussion on the E.O. until their June 19th meeting (see Motion 4 below).

Following Motions 3 and 4, there was some brief discussion on other items that might be appropriate to handle through the E.O., such as part time limited access trips to CAII. A Committee member felt that some part time vessels are too small to fish in CAII safely and inquired about a process that could redirect PT LA CAII trips in 2020 to areas closer to shore. Input from Council and GARFO staff was that this would likely have to be addressed in a Council action, and that the timing of the E.O. would likely be too prolonged to effectively address this matter. Other comments highlighted the existing measures that allow

PT vessels to trade access area trips, which could potentially be a tool for moving trips closer to shore for vessels that do not wish to fish in CAII.

Motion 3: Hughes/Godfroy

The Committee recommends that the Council refer the following actions to the Secretary of Commerce for the Department’s review in response to Section 4 of the President’s Executive Order to “reduce burdens on domestic fishing and increase production within sustainable fisheries...”

1. Facilitate access to the Northern Edge (HAPC area)
2. A leasing flexibility program for the LA Scallop fishery
3. Modify LAGC closure noticing
4. Pursue electronic (on-line) access area trip exchanges

Rationale:

1. Northern Edge has been on the Council’s priority list, but has not been made an official work priority.
2. There is additional flexibility needed for the LA component in light of the COVID-19 pandemic.
3. Modifying the LAGC closure notice would allow for a quicker notification to LAGC on closures.
4. It can take up to 14 days to exchange access area trips, streamlining this would help the LA fleet.

Motion 4: Hughes/Pappalardo

Move to postpone further discussion on Motion 3 to the next Scallop Committee meeting on June 19th, 2020.

Rationale: It is the intent of the Committee to take this up at its next meeting when more guidance is available.

The motion carried on unanimous consent.

Other Business

No other business was discussed. The meeting ended at 1:16 PM.