



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

September 25, 2020

Webinar Meeting

The Scallop Committee met via webinar on September 25, 2020 to: 1) review Amendment 21 including public hearing comments and recommend final preferred alternatives, 2) discuss 2020 fishery performance and review timelines for Framework 33, 3) discuss and recommend potential 2021 work priorities, and 4) discuss other business.

MEETING ATTENDANCE:

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

James Gutowski (AP Chair) was in attendance on the webinar along with approximately 59 members of the public.

The meeting began at 8:38 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.

Key Outcomes:

- The Committee made recommendations to the Council on final preferred alternatives for Amendment 21.
- The Committee recommended that harvesting uncaught FY2019 NLS-West allocations in the NLS-South in FY2021 be evaluated through Framework 33.
- The Committee recommended that NMFS send a bulletin to all scallop permit holders reminding them of the regulations around interactions with fixed gear.

Amendment 21 Alternatives and Discussion

Council staff presented on the range of alternatives in A21 and provided a summary of comments received during the public comment period. Following some clarifying questions on the presentation, the Committee discussed each action in Amendment 21 and made recommendations to the Council on final preferred alternatives. The following sections describe motions and Committee discussion for each action.

Action 1: NGOM Catch Limits

Motion 1: Pappalardo/Hughes

Move that the Committee select in Action 1 – Northern Gulf of Maine Catch Limits, Alternative 2 (4.1.2), Account for the Northern Gulf of Maine as part of the ABC and ACL, as preferred.

Rationale: As the AP indicated, with the NGOM scallop fishery maturing and consistent surveys of the area are being conducted now would be the time to incorporate the area into the legal limits of the FMP.

	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	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	11	0	0	0

The motion carried 11-0-0.

There was not discussion on Motion 1.

Action 2 – Northern Gulf of Maine Allocations

Motion 2: Smith/Patterson

Move that the Committee select in Action 2 – Northern Gulf of Maine Allocations, Alternative 2 Option 2 (4.2.2.2), Create a NGOM set-aside with a NGOM set-aside trigger of 600,000 pounds, as preferred. Pounds above the trigger would be split 25% to the NGOM set-aside and 75% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL.

Rationale: This alternative best meets the collective goals and objectives as outlined in this Amendment; this set aside supports a growing LACG small boat fishery and ensures orderly access by the LA fleet when biomass reaches optimal levels for larger removals. This preferred alternative reinforces the original purpose for the creation of this management area as established

in Amendment 11; preserving local access for the small boat scallop harvesters for whom this region was and continues to be an important part of their fishing portfolio. Considering that LACG NGOM permit holders are spatially restricted to only this area while other Federal scallop permit holders may harvest the entire extent of the scallop resource; it allows for a dedicated, annual opportunity to harvest scallops. The overwhelming support for this alternative expressed through the public comment period reiterates the importance of this fishery to the inshore scallop fleet from all ports along the coast that rely on continued access and stable growth of the scallop resource within NGOM.

Motion to Amend Motion 2: Griffin/Gates

Move that the Committee recommend that the Council select as final preferred in Section 4.2, Alternative 2 as modified – NGOM Set-Aside Trigger of 600,000-lb. Pounds over the trigger would be split 5% for the NGOM set-aside and 95% for the NGOM APL.

Rationale: Greatly appreciate the compromise that came out of AP and I see this motion to amend is an outgrowth of that tough discussion. Increasing the trigger and adopting a two-tier split appears to be a step too far for meaningful compromise. A 95/5 split allows for shared access to the growing directed scallop fishery in federal waters by not just LAGC-NGOM through the NGOM set-aside but by both LAGC-IFQ and LA (FT and PT) vessels through meaningful allocation to the NGOM APL triggered at biomass levels previously seen in federal waters.

	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		No		
Mark Godfroy, NH		No		
Melissa Smith, ME		No		
John Pappalardo, MA		No		
Emily Gilbert, GARFO			Abstain	
Dr. Michael Sissenwine, MA	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	6	4	1	

The Main Motion 2 as Amended: Griffin/Gates

Move that the Committee recommend that the Council select as final preferred in Section 4.2, Alternative 2 as modified – NGOM Set-Aside Trigger of 600,000-lb. Pounds over the trigger would be split 5% for the NGOM set-aside and 95% for the NGOM APL.

Rationale: Greatly appreciate the compromise that came out of AP and I see this motion to amend is an outgrowth of that tough discussion. Increasing the trigger and adopting a two-tier split appears to be a step too far for meaningful compromise. A 95/5 split allows for shared access to the growing directed scallop fishery in federal waters by not just LAGC-NGOM through the NGOM set-aside but by both LAGC-IFQ and LA (FT and PT) vessels through meaningful allocation to the NGOM APL triggered at biomass levels previously seen in federal waters.

Motion to Substitute Motion 2: Patterson/Smith

Move that the Committee select in Action 2 – Northern Gulf of Maine Allocations, Alternative 2 Option 2 (4.2.2.2) with a modified split trigger of 2 million pounds: Create a NGOM set-aside with a NGOM set-aside trigger of 600,000 pounds, as preferred. Pounds above the trigger would be split 25% to the NGOM set-aside and 75% for the NGOM APL up to 2 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL.

Rationale: This alternative best meets the collective goals and objectives as outlined in this Amendment; this set aside supports a growing LACG small boat fishery and ensures orderly access by the LA fleet when biomass reaches optimal levels for larger removals. This preferred alternative reinforces the original purpose for the creation of this management area as established in Amendment 11; preserving local access for the small boat scallop harvesters for whom this region was and continues to be an important part of their fishing portfolio. Considering that LACG NGOM permit holders are spatially restricted to only this area while other Federal scallop permit holders may harvest the entire extent of the scallop resource; it allows for a dedicated, annual opportunity to harvest scallops. The overwhelming support for this alternative expressed through the public comment period reiterates the importance of this fishery to the inshore scallop fleet from all ports along the coast that rely on continued access and stable growth of the scallop resource within NGOM.

The motion to substitute was withdrawn without objection.

Back to the main motion, as amended.

Main Motion 2 as Amended: Griffin/Gates

Move that the Committee recommend that the Council select as final preferred in Section 4.2, Alternative 2 as modified – NGOM Set-Aside Trigger of 600,000-lb. Pounds over the trigger would be split 5% for the NGOM set-aside and 95% for the NGOM APL.

Rationale: Greatly appreciate the compromise that came out of AP and I see this motion to amend as an outcome of that tough discussion. Increasing the trigger and adopting a two-tier split appears to be a step too far for meaningful compromise. A 95/5 split allows for shared access to the growing directed scallop fishery in federal waters by not just LAGC-NGOM through the NGOM set-aside but by both LAGC-IFQ and LA (FT and PT) vessels through meaningful allocation to the NGOM APL triggered at biomass levels previously seen in federal waters.

	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		No		
John Pappalardo, MA				
Emily Gilbert, GARFO			Abstain	
Dr. Michael Sissenwine, MA	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	8	1	1	

The main motion as amended carried 8-1-1.

Discussion: The Committee deliberated Action 2 (NGOM allocations) at length through several motions. A motion was brought forward recommending the Council’s preliminary preferred Alternative 4.2.2.2 (600,000-pound trigger with 75/25 split up to 3 million pounds then 95/5 split). A motion to amend was then raised recommending a modified Alternative 4.2.2.3 (600,000-pound trigger with 95/5 split). Discussion focused in on the trigger level and sharing arrangement over the trigger. The maker of the motion to amend noted that the sharing arrangement over the trigger was a pivotal part of the decision and that a 95/5 split is a more reasonable compromise that allows for shared growth, and does not shut out LA and LAGC IFQ vessels from the NGOM until a boom in biomass occurs. Several comments were made either in support or against the amended motion following similar rationale that was heard through the public comment period. Those in support of the original motion cited the many comments received during the public comment period which were in favor of the Council’s preliminary preferred. Several on the Committee felt that there was not an objective basis to making

decisions for either the trigger or sharing arrangement, and in the end were in support of the amended motion. After the motion to amend passed, a motion to substitute was raised briefly but then withdrawn without objection and with no discussion. Ultimately, Motion 2 as amended, recommending a 600,000-pound trigger with 95/5 split, passed by a roll call vote.

Action 3 – Monitoring Directed Scallop Fishing in the Northern Gulf of Maine

Motion 3: Smith/Hughes

Move that the Committee select in Action 3 – Monitoring Directed Scallop Fishing in the Northern Gulf Of Maine (NGOM) Management Area, Alternative 2 (4.3.2), Monitor directed scallop fishing in the NGOM by expanding the Scallop Industry Funded Observer program, use a portion of the NGOM Allocation to off-set monitoring costs, as preferred.

Rationale: This alternative will align monitoring expectations within the NGOM management area with the remainder of the federal scallop fishing areas. Additionally, this was also supported through public comment.

	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				
Emily Gilbert, GARFO	Yes			
Dr. Michael Sissenwine, MA	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	10	0	0	0

The motion carried 10-0-0

There was no discussion on Motion 3.

Action 4 – Support Scallop Research using Scallops from the Northern Gulf of Maine

Motion 4: Hughes/Smith

Move that the Committee select in Action 4 – Support Scallop Research using Scallops from the Northern Gulf of Maine, Alternative 2 Option 4 (4.4.2.4) Allocate a portion of the NGOM Allocation to increase the overall Scallop RSA and support Scallop RSA compensation fishing, allocate 25,000 pounds of NGOM Allocation to increase the overall RSA to 1.275 million pounds, as preferred.

Rationale: Currently the NGOM is a significant beneficiary of RSA research (a 170,000 pounds of RSA scallops this year alone), but does not contribute any pounds into the RSA fund. The NGOM needs to have some skin in the game and 25,000 pounds covers the cost of a single survey in the area, which is the minimum amount of research anticipated in the area. The 25,000 lb fixed limit can be modified in future framework and can be adjusted to meet needs in the area. Percentages for RSA allocations do not work well.

	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	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	11	0	0	0

The motion carried 11-0-0.

There was no discussion on Motion 4.

Action 5 – Northern Gulf of Maine Fishing Season

Motion 5: Hughes/Gates

Move that the Committee select in Action 5 – Northern Gulf of Maine Fishing Season, Alternative 1 (4.5.1) No Action, as preferred

Rationale: No additional restrictions are needed on the area at this time. This maintains the position of the Council and AP from their June motions.

	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	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	11	0	0	0

The motion carried 11-0-0.

There was no discussion on Motion 5.

Action 6 - Cumulative Maximum Dredge Width

Motion 6: Hughes/Godfroy

Move that the Committee select in Action 6 – Cumulative Maximum Dredge Width That Can Be Fished in The Northern Gulf of Maine Management Area, Alternative 1 (4.6.1) No Action, as preferred.

Rationale: There is no biological benefit to the resource in mandating smaller dredge sizes for the LA fleet in the NGOM. Other alternatives would increase costs because vessels would need to buy new dredges to fish in the area.

	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		No		
John Pappalardo, MA	Yes			
Emily Gilbert, GARFO	Yes			
Dr. Michael Sissenwine, MA	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	10	1	0	0

The motion carried 10-1-0.

For Action 6, all but one Committee member was in support of the Council’s preliminary preferred alternative of No Action. They were concerned about the potential impacts of FT LA vessels fishing with typical dredge width in the NGOM in the future under varying resource conditions (i.e., higher biomass, recruitment, etc.). There were several other comments from a Committee member and members of the public pointing to gear efficiency/impact studies and

discussions at the PDT noting that limiting dredge width in the NGOM would not necessarily have a biological benefit to the scallop resource.

Action 7 – Increase the LAGC IFQ Possession Limit

Motion 7: Pappalardo/Smith

Move that the Committee select in Action 7 – Increase the LAGC IFQ Possession Limit, Alternative 2 Option 2 (4.7.2.2), Increase the LAGC IFQ possession limit to 800 pounds per trip for only access area trips, as preferred.

Rationale: Public comments were in support of this increase. An increase of 1/3 of the daily trip limit in access areas will give the Council an opportunity to monitor the economic impacts of this change. Given where the access areas are likely to be in the near future, this will reduce overall steaming time to fish further offshore, and improve safety.

	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	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	11	0	0	0

The motion carried 11-0-0.

There was some clarifying discussion around access area trip accounting in the LAGC IFQ fishery—there are a set number of trips that LAGC IFQ vessels can fish in access areas and NMFS considers each declaration a trip regardless of whether the possession limit is caught. Some comments pointed to how a higher trip limit will reduce the total number of access area trips relative to the 600-pound trip limit and suggested that it might increase derby fishing and reduce safety at sea. A member of the public also commented that an 800-pound trip limit in access areas would advantage larger boats and suggested that a weekly landing limit be considered to cap the number of trips per week to keep current weekly landing levels consistent.

Action 8 – Increase the Amount of Observer Compensation Available for LAGC IFQ vessels

Motion 8: Pappalardo/Griffin

Move that the Committee select in Action 8 – Increase the Amount of Observer Compensation Available for LAGC IFQ vessels, Alternative 2 (4.8.2), Prorate daily compensation rate in 12-hour increments for observed LAGC IFQ trips longer than one day (capped at 48 hours), as preferred.

Rationale: Allow for additional compensation to account for potentially longer trips. The cap on compensation is at two days.

	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		No		
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	10	1	0	0

The motion carried 10-1-0.

The Committee noted that the amount of observer compensation that LAGC IFQ vessels can receive can be adjusted in a future Framework. Several members of the public did not support Motion 8—they suggested it could create an incentive to fish longer trips for the purpose of receiving more compensation.

Action 9 – One-way Transfer of Quota from LA with IFQ to LAGC IFQ Only

Motion 9: Pappalardo/Hughes

Move that the Committee select in Action 9 – One-Way Transfer of Quota from LA with IFQ to LAGC IFQ-Only, Alternative 2 Option 1 (4.9.2.1), Allow temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only with no change to LAGC IFQ quota accumulation caps (5% of APL), as preferred.

Rationale: This will give needed flexibility to the fishery to move small amounts of IFQ and move pounds to the IFQ only fleet to increase their fishing opportunities.

	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	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	11	0	0	

The motion carried 11-0-0.

There was no discussion on Motion 9.

Action 10 – Specifications and Framework Adjustment Process

Motion 10: Hughes/Smith

Move that the Committee select in Action 10 – Specifications and Framework Adjustment Process, Alternative 2, Expand the list of measures that can be addressed through specifications and/or framework adjustments, as preferred.

Rationale: More flexibility in the management process is a good thing. Opportunity to move forward in a more expedient manner.

	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	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	11	0	0	

The motion carried 11-0-0.

There were some brief comments in support of Motion 10, pointing to the added flexibility of addressing future issues through a Framework or specifications action versus needing a full amendment.

Framework 33

Motion 11: Hughes/Gilbert

Move that the Committee recommend that the Council add “evaluate the harvest of uncaught 2019 NLS-West allocation in FY 2021 in NLS-S Access Area” as part of FW33 and work 2020 priorities.

Rationale: The science suggested that the NLS-West could support three trips in FY 2019. The biomass is not in NLS-West to support further harvest in the area. This will give all LA permit holders a chance to catch their 2019 allocations. In evaluating this concept, the PDT should consider how the NLS-S is fished in 2021 if it is an access area – consider the impacts of large number of vessels fishing a small area at the same time. There were 50 million pounds of scallops that were missing between the 2018 and 2019 surveys of the area.

	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		No		
John Pappalardo, MA	Yes			
Emily Gilbert, GARFO	Yes			
Dr. Michael Sissenwine, MA		No		
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	9	2		

The motion carried 9-2-0.

The Committee discussed correspondence submitted to the Council suggesting that uncaught FY2019 allocation in the NLS-West be moved to the NLS-South for harvest in FY2021 and considered the AP’s motion supporting evaluating this through FW33. A member of the Committee and several in the audience supported Motion 11, citing that there is strong industry support for making uncaught FY2019 NLS-West allocations harvestable in another area in FY2021. Some on the Committee were hesitant in moving forward the AP’s recommendation—they disagreed with the principal of taking scallops from a different area because there weren’t enough to harvest in the area that originally was allocated to. Others supported Motion 11 because they felt comfortable with evaluating how uncaught NLS-West allocations might be harvested in another area and continuing the discussion once 2020 survey data is available. There was some clarifying discussion around whether this should be added as a separate 2020 priority or addressed under the specifications process already underway in Framework 33.

2021 Priorities

(Postponed from motion from May and June Committee meetings until September 2020)

Motion 12: 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 12a: Hughes/Griffin:

Move to Table the above motion until after the Priorities discussion.

Rationale: The Committee prefers to directly address 2021 priorities and consider other motions before taking up the postponed motion on President Trump's E.O. from May 28, 2020.

The motion to table carried without objection.

Motion 13: Pappalardo/Hughes

Move that the Scallop Committee recommend the following priorities, ranked in order of importance and in addition to the standing Staff/PDT requirements & ongoing work, to the Scallop Committee for 2021:

1. Prepare a specifications package to set FY 2022 (2023 Default) specifications (i.e. setting DAS, access area trips, Northern GOM TAC, limited access general category IFQ allocations, etc.)
2. Complete ongoing actions (Amendment 21 & Framework 33)
3. Develop a LA AA program for access to the Northern Edge.
4. Conduct scoping on a LA DAS and AA trips leasing program to assess the need for a leasing program and whether to move forward with developing an amendment.

Rationale: This proposal adds the specific task of conducting scoping on a leasing program to the Council's 2021 priorities without committing the Council to developing an amendment. That decision can be made after scoping is conducted and all comments are considered. The term "outreach" in the AP motion is vague. The majority of the fleet wants to have this discussion and scoping is the most appropriate way to bring it into the Council process, which is where it belongs at this point. Scoping is the most appropriate process and will provide this Committee with a much better understanding of how best to proceed.

	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				
Melissa Smith, ME	Yes			
John Pappalardo, MA	Yes			
Emily Gilbert, GARFO	Yes			
Dr. Michael Sissenwine, MA	Yes			
Dr. John Quinn, MA				
Peter Hughes, MAFMC	Yes			
Peter deFur, MAFMC	Yes			
TOTAL VOTE	10	0	0	0

The motion carried 10-0-0.

Previously tabled motion (12a), brought back without objection.

Motion 14: 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.

	Yes	No	Abstain	Recuse
Scallop Committee				
Vincent Balzano, CT (Chair)				
Melanie Griffin, MA (VC)		No		
Matt Gates, CT		No		
Richard Bellavance, RI		No		
Cheri Patterson, NH		No		
Mark Godfroy, NH				
Melissa Smith, ME		No		
John Pappalardo, MA		No		
Emily Gilbert, GARFO			Abstain	
Dr. Michael Sissenwine, MA		No		
Dr. John Quinn, MA				
Peter Hughes, MAFMC		No		
Peter deFur, MAFMC		No		
TOTAL VOTE	0	9	0	0

The motion failed 0-9-0.

There was a lengthy discussion on 2021 priorities that included several motions. The first motion, Motion 12, was a postponed motion from June 2020 that focused on recommending items to address the Presidential Executive Order on promoting seafood production and competitiveness. The Committee elected table this motion until the end of priorities discussion (Motion 12a) and ultimately decided to vote it down (Motion 14) as Motion 13 addressed both 2021 Council priorities and the E.O.

Motion 13 focused on other items: 1) preparing a specifications package for FY2022, 2) completing on-going actions (i.e. A21 and FW33), 3) developing a LA AA program for the Northern Edge, and 4) conducting scoping to assess the need for a LA DAS and AA leasing program and whether to move forward with developing an amendment. The Committee and members of the public focused the majority of their comments on scoping for a LA DAS and AA leasing program. There were many comments from the public either for or against developing a leasing program. Those in favor felt that developing a leasing program could increase operational flexibility in the LA fishery. Those opposing to initiating an amendment to develop a leasing program felt that consolidation could have negative downstream impacts to fishermen and shoreside operations, and potentially open doors for outside interests to buy up the fishery from underneath the fishermen. Some suggested that there are other priorities that need more attention at this time.

The Committee and several members of the public felt that the discussion around leasing should occur and it should be folded into the Council process. There was some discussion around the using the term “scoping”, which in the past has usually been tied to a Council action, versus other forms of outreach such as “listening sessions”, which the Council has hosted prior to initiating an action. A Committee member noted that listening sessions were used to solicit

public comment on whether it should develop a limited access program for the recreational party/charter boat fishery under the Northeast Multispecies Fishery Management Plan.

Other Business

Consensus Statement:

Recommend that the Committee recommends that that Council send a letter to NMFS requesting that a bulletin be sent to permit holders advising of fixed gear in the area of Lobster Area 4 and reminding vessels to avoid fixed gear.

Under other business, Vincent Damm, a lobster and fixed gear fisherman from Montauk, NY provided correspondence to the Council detailing substantial gear loss over the last two years. He joined the call, and explained the gear loss issues he has been having to the Committee. The Committee discussed information that might be useful to help scallop vessels avoid fixed gear and moved forward a consensus statement requesting that a bulletin be sent to permit holders advising of fixed gear in the Lobster Area 4 and reminding vessels to avoid fixed gear.

No other business was discussed. The meeting adjourned at 3:30 PM.