



## New England Fishery Management Council

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### MEETING SUMMARY

#### Scallop Committee Meeting

December 10, 2020

Webinar Meeting

The Scallop Committee met via webinar on December 10, 2020 to: 1) review analyses and recommend specification alternatives to be considered for inclusion in Framework 33, 2) review Gulf of Maine survey results and consider closure configurations in the Gulf of Maine to protect small scallops, 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 31 members of the public.

The meeting began at 9:05 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 December 8, 2020 Advisory Panel meeting including discussion and motions recommending the range of alternatives to be considered in FW33.

#### Key Outcomes:

- The Committee made recommendations on the range of specifications alternatives and measures to be included in FW33.
- The Committee recommended the continued closure of the NGOM portion of Stellwagen Bank in FY2021 and identified areas that are likely to be fished in 2021.

## Framework 33

Following a presentation on FW33 analyses tasked by the Committee and PDT input on FY2021, the Committee moved forward a series of motions recommending the range of alternatives to be considered in FW33. Motions and related discussion are described in the sections below.

### FY2021 Specifications Alternatives

#### Motion 1: Griffin/Hughes

Move that the Committee task the PDT to develop alternatives in FW33 that would allocate the following Access Area trips and Full Time Limited Access DAS:

	Option 1 (3.5 trips)	Option 2 (4 trips)	Option 3 (4 trips) (AP3 modified)	Option 4 (4 trips) (AP5 modified)
FT LA trip limit	18000-lbs.	18000-lbs.	18000-lbs.	18000-lbs.
MAAA	1 trip	1.5 trips	1.5 trips	1 trip
NLS-S	1.5 trips	1.5 trips	1 trip	1.5 trips
CAII-SW	1 trip	1 trip	1.5 trips	1.5 trips
CAII-Ext				
FT LA DAS	24 & 26	24 & 26	24 & 26	24 & 26

- CAI would remain an AA eligible for LAGC-IFQ AA trips and LA RSA compensation fishing only.

*Rationale:* This gives a range of allocation, that given declining biomass, generally balances access for 2021 and 2022. Specifically, 1-1.5 trips in MAAA should provide for a trip in 2022. NLS-S-deep, while sub-optimal operationally is commanding prices that make trips profitable, is the 2<sup>nd</sup> largest exploitable biomass aggregation and the scallops need to be harvested given age or risk foregoing exploitable biomass. Combining CAII-SW with CAII-Ext allows for some additional spatial flexibility given the dense aggregation of exploitable biomass that straddles that boundary. DAS options, like AA options, 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.

*The motion carried on a roll call vote 11-0-0.*

<b>Motion 1</b>	Yes	No	Abstain	Recuse
<b>Scallop Committee</b>				
Vincent Balzano, CT (Chair)				
Melanie Griffin, MA (VC)	Yes			
Peter deFur, MAFMC	Yes			
Cheri Patterson, NH				
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			
Matt Gates, CT	Yes			
<b>TOTAL VOTE</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>

Discussion on Motion 1: Several Committee members and members of the public commented in support of Motion 1. There was support for combining Closed Area II Southwest and Extension due to the spatial distribution of scallops there. One Committee member expressed interest in analyzing an option for less than 24 DAS in the interest of being conservative; however, after some discussion, there was recognition that the 24 and 26 DAS options are conservative relative to the scallop fishery legal limits and the Committee felt that two DAS options would be informative without overloading the PDT's workload. An AP member commented in favor of the motion, specifically because it does not include any options for flex allocation – they felt that flex allocations in the past have increased uncertainty around where fishing will occur, such as the additional pressure flexed into the MAAA recently.

## **Motion 2: Hughes/**

Move that the Committee tasks the PDT to develop an alternative in FW33 that would:

- Set FT LA possession limit at 18,000 pounds in all access areas.
- 4 Total FT LA AA trips:
  - 1.5 in MAAA
  - 1.5 in CAII (SW and EXT as one area)
  - .5 in NLS-South
  - .5 CAI-FLEX to NLS-South
- Trip exchanges in 9,000 pound increments.
- FT LA DAS: 24

*The motion failed for lack of a second.*

There was no discussion on Motion 2.

## **FY2022 Default Measures**

### **Motion 3: Hughes/Reid**

Move that the Committee task the PDT to include default measures for FY 2022 in FW33 that would allocate 1 access area trip (18,000 pounds for FT LA) in the MAAA and 1 access area trip (18,000 pounds for FT LA) in the NLS-South at the trip limit specified for 2021 FY.

- The NLS-South trip would not be available until April 1, 2022.
- The MAAA trip would be available on May 1, 2022.

*Rationale:* The default measures are needed to address the uncertainty associated with COVID-19, and the impacts this can have on the fishery and implementing specifications.

*The motion carried on a roll call vote 11-0-0.*

	Yes	No	Abstain	Recuse
Scallop Committee				
Vincent Balzano, CT (Chair)				
Emily Gilbert, GARFO	Yes			
John Pappalardo, MA	Yes			
Melissa Smith, ME	Yes			
Mark Godfroy, NH	Yes			
Cheri Patterson, NH				
Matt Gates, CT	Yes			
Melanie Griffin, MA (VC)	Yes			
Peter deFur, MAFMC	Yes			
Peter Hughes, MAFMC	Yes			
Alan Tracy, ME	Yes			
Eric Reid, RI	Yes			
Dr. John Quinn, MA				
Dr. Michael Sissenwine, MA	Yes			
TOTAL VOTE	11	0	0	0

Discussion on Motion 3: The Committee discussed the AP's recommendation for FY2022 default specifications as it related to the delayed implementation of the NLS-South trip. AP Chair Jim Gutowski explained that this recommendation takes into consideration the seasonal variation in meat yield and noted that the AP felt delaying the NLS-South default trip until May 1<sup>st</sup> would align fishing with the time of year that has higher meat yield. The Committee noted that this seasonality exists in the MAAA as well, and felt that a delayed implementation of FY2022 default specifications for this area would be appropriate. A member of the public

commented in favor of delaying implementation for both the NLS-South and MAAA default trips. A Committee member suggested that the PDT could perform bootstrapping analyses to investigate how allocating default specifications to the NLS-South and MAAA in FY2022 might impact fishing in these areas in FY2023 and beyond.

## Part-Time Limited Access Allocations

### Motion 4: Hughes/Reid

Recommend that the Committee task the PDT to develop measures in FW33 that would allocate Limited Access Part Time vessels two access area trips:

- 1 trip to MAAA at either 14,400 lbs or 12,600 lbs depending on the number of FT LA trips are allocated.
- 1 trip in CAII (combined SW and the EXT) or the NLS-S at 14,400 lbs or 12,600 lbs depending on the number of FT LA trips are allocated.

*Rationale:* The PT vessels are smaller, have fewer crew. The MAAA and CAII have highest level of exploitable biomass of access areas. There are default trips on the books on April 1, 2020, and boats are likely to fish that before the FW33 specs go into place later in the summer. This gives vessels a chance to fish in the MAAA, and the option to fish inshore or offshore on Georges Bank (NLS or CAII). The 14,400 pound trip limit would be if four access area trips are allocated. The 12,600 lbs trip limit would be if 3.5 FT LA AA trips are allocated.

*The motion carried on a roll call vote 11-0-0.*

	Yes	No	Abstain	Recuse
Scallop Committee				
Vincent Balzano, CT (Chair)				
Melanie Griffin, MA (VC)	Yes			
Matt Gates, CT	Yes			
Cheri Patterson, NH				
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	11	0	0	0

Discussion on Motion 4 was brief – the Committee clarified the part time LA possession limit based on the various full time LA allocations described in Motion 1.

### LAGC IFQ Access Area Trips

#### **Motion 5: Griffin/Hughes**

Move that the Committee task the PDT to include alternatives in FW33 that would distribute the LAGC IFQ access area allocation from Closed Area II to other access areas (example of 856 trips):

- Option 1: Evenly across all open access areas.
  - MAAA (285 trips)
  - NLS-S (285 trips)
  - CA-I (285 trips)
- Option 2: All in Closed Area I (856 trips)

*Rationale:* This formula would be for LAGC allocations to CAII – the numbers specified in the motion may change in FW33 if fewer trips are allocated to CAI. These options reflect how the Council has redistributed LAGC IFQ CAII allocations in the past. This creates two options for consideration in FW33.

*The motion carries by unanimous consent.*

Discussion on Motion 5: It was clarified that the increase to the LAGC IFQ access area trip limit through Amendment 21 will most likely not be implemented until FY2022, and does not need to be accounted for in FW33. Another Committee member voiced gratitude for Council staff and the Advisory Panel for their work in developing FW33.

### Measures to Reduce Fishery Impacts

Council staff presented analyses around bycatch trends in Closed Area II access area and extension based on observer data. The analyses supported development of measures in FW32 (i.e., extending the CAII AA seasonal closure) to reduce impacts to both Georges Bank yellowtail and northern windowpane in FY2020. Considering the likelihood for access to CAII in FY2021, the Committee recommended developing similar measures that would extend the CAII seasonal closure in FY2021 and include the CAII-Ext (see Motion 7). A member of the public briefly commented on bycatch projections estimated by the PDT, and felt that that are often overestimated compared to realized bycatch. The Committee also supported the AP recommendation for where RSA compensation fishing can occur in FY2021, and added Closed Area I to the list of areas where compensation fishing can occur to be consistent with the spatial management alternatives described in Motion 1.

### **Motion 6: Hughes/Griffin**

Recommend that the Committee include an alternative in FW33 that would allow RSA compensation fishing in the following areas:

- Open Bottom
- MAAA
- Closed Area II (SW and EXT) with seasonal restrictions
- Closed Area I
- NLS-South
- NGOM management area (up to the LA TAC in this area)

*Rationale:* This would allow vessels to spread out, and some research is done on compensation fishing. The RSA is important and should be supported with good options for catching the compensation pounds. The RSA has had issues in the past when fishery has not been able to operate in areas where it can catch scallops that receive a price to adequately support research.

*The motion carried by unanimous consent.*

### **Motion 7: Griffin/Pappalardo**

Move that the Committee task the PDT to develop measures in FW33 to mitigate impacts on flatfish based on estimated bycatch of GB Yellowtail in FY2021. The PDT should focus on using seasonal closures, and the benefits of a seasonal closure from Aug. 15 – Nov. 30.

*Rationale:* The sub-ACL for GB yellowtail will be ~12 mt for FY2021. There are options for 1.5 trips to CAII (SW and EXT) and RSA compensation fishing. This would include examining the benefits of continuing the two-week closure at the end of November (Nov. 16 – Nov. 30). The delayed opening to June 1 is likely to mitigate impacts on flatfish on its own. The closure would apply to the CAII SW and EXT.

*The motion carried by unanimous consent.*

### **Gulf of Maine Survey Results and NGOM Measures**

The Committee reviewed findings from the 2020 drop camera survey of the Gulf of Maine and moved forward a recommendation to continue the closure of the portion of Stellwagen Bank in the NGOM through FY2021 (see Motion 8, below). The Committee also recommended developing a range of NGOM TACs based on the assumption that fishing will occur in all areas that were surveyed in 2020, plus Machias Seal Island.

## **Motion 8: Smith/Hughes**

1. The Committee recommends that Stellwagen Bank in the NGOM remain closed for FY 2021.
2. Move that the Committee task the PDT to develop NGOM TAC options using F rates of F=0.18, F=0.2, F=0.25 in the following that areas:
  - Ipswich Bay
  - Jeffreys Ledge
  - Platts Bank
  - Machias Seal Island

*Rationale:* The fishery is likely to spread out in 2021. Some vessels are likely to fish in the Machias Seal Island area, along with the other areas that were fished in FY 2020.

*The motion carried by unanimous consent.*

## **Other Business**

1. Correspondence from the Scallopers Campaign: Mr. Jeff Pike referenced the letter sent from the Scallopers Campaign asking for the Council reconsider the list of 2021 priorities and recommending that listening sessions for leasing in the limited access fishery be added as a 2021 priority. Committee Chair Balzano noted that this topic could be added to the January Committee meeting agenda so that the public will have notice the discussion will be taking place. A member of the Committee commented that if the discussion around leasing is going to be revisited, there should be substantive reasoning as to why leasing should be added to the list of 2021 priorities instead of just resubmitting the Committee recommendation on priorities from earlier in the fall.
2. David Borden of the Atlantic Offshore Lobstermen's Association raised the topic of gear conflict issues between fixed gear and scallop fishing in Closed Area I. Mr. Borden offered ways that these gear conflicts might be minimized, such as a seasonal closure to scallop fishing in Closed Area I, though it was acknowledged that the limited outlook for CAI in FY2021 may reduce gear conflict issues. Staff will follow up with Mr. Borden to overlay the proposed seasonal closure area with scallop management boundaries.
3. AP Membership: It was noted that two Scallop Advisors had stepped down from the AP and the AP had expressed interest in filling those seats with similar representatives of the fishery. The Committee discussed the idea of soliciting applications for the two empty seats and supported raising this topic for further discussion at the Executive Committee.

The meeting ended at 1:39pm.