



New England Fishery Management Council

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Eric Reid, *Chairman* | Thomas A. Nies, *Executive Director*

MEETING SUMMARY

Scallop Committee Meeting

December 3, 2021

Webinar Meeting

The Scallop Committee met via webinar on December 3, 2021 to: 1) review Framework 34 analyses and impacts and recommend final preferred alternatives; 2) receive update on the draft Evaluation of Rotational Management report; 3) receive an update on the Scallop Survey Working Group; 4) provide clarification on the October 27, 2021 Committee motion that recommended 2022 scallop work priorities; and 5) discuss other business.

MEETING ATTENDANCE:

Melanie Griffin (Scallop Committee Chair), Jonathon Peros (Plan Coordinator), Sam Asci (Council staff), Michelle Duval, Mark Alexander (Vice-chair), Matt Gates, Renee Zobel, John Pappalardo, Melissa Smith, Mike Sissenwine, Togue Brawn, Libby Etrie, and Peter Hughes.

Eric Reid (Council Chair) and Jim Gutowski (AP Chair) were in attendance on the webinar along with approximately 43 members of the public.

The meeting began at 9:00 AM. Scallop Committee Chair Melanie Griffin 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. Mr. James Gutowski (AP Chair) provided a brief overview of the December 2, 2021 Advisory Panel meeting.

Key Outcomes:

- The Committee recommended final preferred alternatives for Framework 34.
- The Committee clarified the October 27, 2021 motion which recommended a list of 2022 work priorities for the Scallop FMP. The clarification was that the leasing scoping priority would follow a multi-step process.

Meeting materials can be accessed at [this link](#). Audio recordings of the full meeting can be provided upon request.

Scallop Survey Working Group Update

Mr. Peter Chase (NEFSC), co-chair of the Scallop Survey Working Group (SSWG), provided an update on progress of the SSWG. Mr. Chase explained the project timeline, reviewed the terms of reference, and described next steps. A member of the Committee felt that an outcome of the SSWG should be an analysis of a survey design that would support a model based approach for stock assessment and annual

specification processes. It was noted that there are on-going projects that are related to survey optimization, such as the re-stratification effort currently underway at the NEFSC.

Framework 34

Council staff provided an overview of Framework 34, including the range of alternatives being considered under each action and associated impacts. It was clarified that the growth assumptions used to project biomass on Stellwagen are based on peer-reviewed work and that the PDT will continue monitoring expected vs. realized growth over the next several years. Committee Chair Griffin inquired if there is any indication that NMFS is concerned with the higher bycatch projections for northern windowpane and whether this could cause issues with approval of FW34. GARFO staff was unable to speak to the likelihood of overall approval of FW34, but noted that they rely heavily on the Council's rationale for decisions related to bycatch issues, including PDT analysis and its description of uncertainty around bycatch projections.

The Committee recommended final preferred alternatives for each action being considered in Framework 34 (see Motions 1 – 5, below).

There was limited discussion on Action 1 (OFL/ABC), the Committee unanimously supported Alternative 2 – update OFL and ABC for FY2022 and FY2023 (default) (Motion 1).

For Action 2, the Committee identified Alternative 2 Option 2 ($F=0.18$) as the recommendation to set the FY2022 and FY2023 (default) NGOM TAL (see Motion 2). There was some discussion around the AP's recommendation from the day before, which represented a more conservative approach by setting the NGOM TAL based on an F of 0.15. A Committee member supported $F=0.18$ because they felt it still represented a conservative catch limit and that it was supported by NGOM fishermen that they had been in contact with. They also felt the AP's intent to recommend a lower TAL in FY2022 was to increase the chances that the TAL in the future would be high enough for the limited access component to receive access to the area under the NGOM APL; they felt that the FW34 NGOM TAL should be supporting fishermen that will be able to fish under the NGOM Set-Aside in FY2022. Another Committee member noted that the PDT recommended setting the NGOM TAL at $F=0.15$.

For Action 3, the Committee discussed the AP's recommendation for Alternative 3 Option 2, which reverts the entire MAAA to open bottom and allocates 26 DAS. The Committee was supportive of the spatial management aspect of this alternative, but felt that setting DAS in a more conservative manner would help sustain open area fishing over the next several years. A member of the public felt that 26 DAS was a better option because it would help stabilize the drop in landings seen over the past several years. Another member of the public supported either 24 or 26 DAS, noting that open area fishing is self regulating (i.e., if catch rates drop, open area F will be reduced). Ultimately, the Committee recommended that an option of 24 DAS be added to Alternative 3 and identified that alternative as preferred (see Motion 3).

For Action 4, Alternative 2 was supported unanimously without objection, which distributes LAGC IFQ access area trips from CAII into CAI (see Motion 4). There was no discussion on this action.

For Action 5, the Committee unanimously supported Alternative 2, allowing RSA compensation fishing in all available access areas with a seasonal restriction on compensation fishing in CAII from June 1 to August 15th (see Motion 5). There was no discussion on the motion.

Evaluation of Rotational Management

Dr. Cate O’Keefe (Fishery Applications) presented an update on the draft evaluation of rotational management report. A member of the Committee suggested that a management strategy evaluation be considered as the next step of this project as a way to analytically evaluate the performance of rotational management and inform ways that it could be improved. Council staff noted that this suggestion falls outside the scope of work that Dr. O’Keefe has been contracted to support, but also suggested that the final report could be used as a baseline for development of an MSE in the future if the Council chooses to prioritize such work. There was also some brief discussion on how a two-year specifications process might be an area of improvement that the Council could explore based on the findings of the report.

Clarification on 2022 Priorities Recommendation

Staff outlined an area of confusion resulting from the Committee’s October 27, 2021 motion related to 2022 scallop priority recommendations. The Executive Committee was not clear on which limited access leasing priority the Committee was recommending because the language in the Committee’s October 27, 2021 motion did not match either the annual or multi-year leasing priorities agreed to by the Council in September 2021. Staff noted that the Committee had debated scoping versus listening sessions in October, and recommended scoping. During the presentation, Staff explained that the annual priority would lead to a multi-step process where the Council would hold a public process to gather input, followed by a decision to on whether to move forward with an Amendment. The multi-step process could include questions: 1) do you support development of a leasing program in the limited access fishery, and 2) if so, what should the leasing program look like? The other option is a multi-year one-step process, where the Council goes out to scoping to get input on what a leasing program should look like with the understanding that they would develop an amendment following scoping.

The Committee had lengthy discussion on the differences between these two processes and also clarified the differences between “scoping” and “listening sessions”. Some members of the Committee supported the one-step process; however, the Committee advanced a motion that supported using scoping with the multi-step process. During this discussion, members of the Committee and public expressed support for and against the concept of limited access leasing. There was also some clarifying discussion on the process for changing priorities mid-year (i.e., requires a 2/3rd vote by the Council).

Other Business

Under other business, GARFO staff reported that Amendment 21 to the Scallop FMP had been approved by NMFS.

No other business was discussed. The meeting adjourned at 2:24 PM.

Meeting Motions

Motion 1: Hughes/Smith

Recommend that the Council adopt in Section 4.1, Alternative 4.1.2, Updated OFL and ABC for FY 2022 and FY 2023, as the preferred alternative.

Rationale: This alternative contains the most recent and up to date information on the fishery and represents the best available science. Alternative 2 was supported by the PDT and the Scallop AP.

	Yes	No	Abstain	Recuse
Scallop Committee				
Melanie Griffin, MA (Chair)				
Emily Gilbert, GARFO	YES			
John Pappalardo, MA	YES			
Melissa Smith, ME	YES			
Libby Etrie, MA	YES			
Renee Zobel, NH	YES			
Matt Gates, CT	YES			
Togue Brawn, ME	YES			
Michelle Duval, MAFMC	YES			
Peter Hughes, MAFMC	YES			
Mark Alexander (VC)	YES			
Eric Reid, RI (Chair)				
Dr. Michael Sissenwine, MA	YES			
TOTAL VOTE	11	0	0	0

The motion carried 11-0-0.

Motion 2: Smith/Zobel

Move to select in Section 4.2, Alternative 2, Option 2: Re-open Stellwagen Bank and set NGOM TAL using A21 approach; Set the NGOM TAL at $F=0.18$ with set-asides to support research, monitoring, and a directed LAGC fishery, as preferred.

Rationale: Fishing the NGOM at $F=0.18$ maintains the conservative approach that has been taken in recent seasons with NGOM and is at the lower end of the fishing mortality range ($F=0.15$ to $F=0.25$) as prescribed in A21. Harvesting at $F=0.18$ will allow for the remainder of the scallop resource on Stellwagen to continue growing out while balancing the anticipated increase in effort within the LAGC fleet. Additionally, this allows for a slightly higher set-aside to contribute towards the ongoing research and monitoring necessary for the sustainability of the NGOM resource. The $F=0.18$ is lower than the $F=0.2$ that the Council used when setting the NGOM TAC in recent actions.

	Yes	No	Abstain	Recuse
Scallop Committee				
Melanie Griffin, MA (Chair)				
Emily Gilbert, GARFO	YES			
John Pappalardo, MA	YES			
Melissa Smith, ME	YES			
Libby Etrie, MA	YES			
Renee Zobel, NH	YES			
Matt Gates, CT	YES			
Togue Brawn, ME	YES			
Michelle Duval, MAFMC		NO		
Peter Hughes, MAFMC		NO		
Mark Alexander (VC)	YES			
Eric Reid, RI (Chair)				
Dr. Michael Sissenwine, MA	YES			
TOTAL VOTE	9	2	0	0

The motion carried 9-2-0.

Motion 3: Alexander/Hughes

Move that the Committee recommend that the Council adopt as the final preferred alternative for Section 4.3: Alternative 3, Three Access Area Trips, with the Hudson Canyon and Elephant Trunk reverted to open bottom and closures of the New York Bight and Nantucket Lightship. This includes.

- 15,000 pound trip limits in access areas for full-time Limited Access vessels.
- 3 access area trips with the following allocations:
- Closed Area II: 30,000 pounds (2 trips)
- NLS-South trip at 15,000 pounds (1 trip)
- One 15,000 pound default access area trip to CAII for FY 2023

The Committee recommends that the council adopt neither options 1 or 2, but rather add an intermediate option for Open Areas Fished at $F=0.39$ with 24 DAS, as demonstrated in the sensitivity analysis presented in section 4.3.3.

	Yes	No	Abstain	Recuse
Scallop Committee				
Melanie Griffin, MA (Chair)				
Emily Gilbert, GARFO	YES			
John Pappalardo, MA	YES			
Melissa Smith, ME	YES			
Libby Etrie, MA	YES			
Renee Zobel, NH	YES			
Matt Gates, CT	YES			
Togue Brawn, ME	YES			
Michelle Duval, MAFMC	YES			
Peter Hughes, MAFMC	YES			
Mark Alexander (VC)	YES			
Eric Reid, RI (Chair)				
Dr. Michael Sissenwine, MA	YES			
TOTAL VOTE	11	0	0	0

The motion carried 11-0-0.

Motion 4: Hughes/Pappalardo

Recommend that the Council adopt in Section 4.4, Alternative 2 (4.4.2) Update LAGC IFQ Access Area Trip Allocations, Distribute Closed Area II Access Area Allocation only to Closed Area I, as preferred. The distribution of all allocated trips would be:

- 357 LAGC IFQ trips in NLS-S
- 714 LAGC IFQ trips in CAI

Rationale: This option gives the LAGC more equity in the value of their scallops. There is a lot of access headed to NLS-South by the LA component, but very limited LAGC IFQ fishing in that area. Allowing the LAGC to fish in CAI where there will only be RSA compensation fishing is a positive from a fishery perspective.

The motion carried without objection.

Motion 5: Hughes/Smith

Recommend that the Council adopt in Section 4.5, Alternative 2 (4.5.2), allow RSA compensation fishing in open areas and the NLS-South, Closed Area II, and Closed Area I, with limited RSA compensation fishing in the NGOM Management Area, as the preferred alternative.

Rationale: Allows flexibility to use RSA compensation pounds in all open rotational areas so vessels can operate in areas where they target larger market grades. Increases the diversity of where you can fish the RSA trips.

The motion carried without objection.

Motion 6: Etrie/Smith

The Committee recommends that the Council use a multi-step process to consider LA leasing by beginning with scoping, and modify the Executive Committee's priorities recommendations by removing listening sessions from the annual leasing work priority:

“Conduct scoping for 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 is to clarify the Committee's prior motion from October 2021. The two-step process would allow the Council to ask stakeholders if they support LA leasing of DAS and access area allocations.

	Yes	No	Abstain	Recuse
Scallop Committee				
Melanie Griffin, MA (Chair)				
Togue Brawn, ME	YES			
Emily Gilbert, GARFO			Abstain	
Libby Etrie, MA	YES			
John Pappalardo, MA		NO		
Melissa Smith, ME	YES			
Renee Zobel, NH	YES			
Matt Gates, CT	YES			
Michelle Duval, MAFMC		NO		
Peter Hughes, MAFMC		NO		
Mark Alexander (VC)	YES			
Eric Reid, RI (Chair)				
Dr. Michael Sissenwine, MA		NO		
TOTAL VOTE	6	4	1	0