



## New England Fishery Management Council

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

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

### MEETING SUMMARY

#### Scallop Advisory Panel

June 14, 2022

Webinar Meeting

The Scallop Advisory Panel met via webinar on June 14, 2022 to: 1) discuss scallop business related to the Nantucket Lightship South and tasking related to the Nantucket Lightship Triangle and transplanting; 2) discuss follow-up to the Evaluation of Rotational Management review, including recommendations that may be considered in development of 2023/2024 specifications; 3) develop recommendations for 2023/2024 Scallop Research Set-Aside Priorities; and 4) discuss other business.

#### ***MEETING ATTENDANCE:***

Jim Gutowski (AP Chair), Jonathon Peros (Plan Coordinator), Sam Asci (Council staff), Kirk Larson, Ron Enoksen, Ed Mullis, Brent Fulcher, Cassie Canastra, Chris Merl, Paul Vafides, Mike Marchetti, Jay Elsner, Eric Hansen, Kristan Porter, Brady Lybarger, Ben Martens, Wes Brighton, and Tom Coley.

There were approximately 42 members of the public attending the webinar.

The meeting began at 9:04 AM. Advisory Panel Chair Jim Gutowski welcomed the AP and members of the audience to the webinar. 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 AP recommended that seasonal closures to improve yield per recruit (reduce fishing mortality) be considered during development of 2023 and 2024 (default) specifications.
- The AP recommended a list of research priorities for the 2023/2024 Scallop Research Set-Aside program.

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

#### Updates and Discussion on Monkfish Discards in Scallop Fishery

The AP discussed Northern Gulf of Maine and LAGC IFQ access area topics that were covered under general updates. Staff reported that 108 vessels were active on at least one trip in the area, and advisors involved with the NGOM fishery suggested that there were 60 to 70 boats consistently fishing during the 2022 season. There were reports of high grading occurring as some vessels were targeting the older, larger scallops on Stellwagen because they commanded a higher price. One Advisor reported being able

to catch the 200 pound trip limit in one tow, being in the area for roughly 45 minutes, whereas other vessels were fishing in the area for hours at a time.

The AP was informed that multiple surveys have detected a large set of two-year-old scallops along the Closed Area I Sliver. There were some concerns expressed about fishing overlapping with dense beds of recruits. Advisors fishing in the area reported that vessels were targeting the larger scallops in the area found in deeper water, and also further south than where the two-year-old class was observed.

Related to monkfish discards, the AP had several thoughts on why monkfish discards were high in 2018/2019 and why scallop fishermen are not landing as many monkfish as several years ago:

- Fishermen on open area trips have had less incentive to filet and land monkfish due because they can make more money by focusing on processing scallops. As the number of open area days has remained low over the past several years, fishermen focus on scallop production instead of processing other fish.
- Years with greater monkfish landings by the scallop fishery were at a time when open area days were greater, fishing was more spread out, and monkfish were commanding a higher price, meaning fishermen had more time to process monkfish and there was a greater price incentive compared to more recently.
- The AP pointed out that recent research has suggested that monkfish discard mortality is 50% or less, which is much less than the 100% rate assumed in the last stock assessment. AP members felt that correcting this assumption in the next assessment may change the perspective on the magnitude of monkfish discards in the scallop fishery.
- It was also noted that years with higher monkfish discards corresponded to a large year class of small monkfish that were large enough to be retained in the dredge, but too small for market.

### Discussion on the Nantucket Lightship Triangle

The AP had a brief discussion in response to the presentation and PDT memo addressing the Nantucket Lightship Triangle. An advisor involved in the industry funded transplanting work conducted by Coonamessett Farm Foundation spoke in support of continuing to develop transplanting as a management tool. They also felt that EFPs should be authorized for multiple years so that longer term projects such as transplanting are not hindered. There was also a comment that if the Council were to consider some access in the NLS-Triangle, that it be made available to vessels that were not able to harvest their 2022 NLS-South allocation.

Another advisor recommended using environmental data to define candidate areas where scallops could be transplanted to. This might also assist managers in understanding how bottom conditions are changing. The AP agreed with the PDT recommendation to evaluate the status of the NLS-Triangle after the results of the 2022 surveys of the Lightship region become available.

### Evaluation of Rotational Management Follow up and Update on NLS-South and CAII Performance

Council staff presented progress on follow-up to the Evaluation of Rotational Management (ERM). The AP was generally supportive of the PDT and ERM recommendations to incorporate seasonal closures into rotational management as a way to improve yield and reduce fishing mortality. The AP noted that high windowpane presence and low scallop yield overlap in the late winter/early spring months in CAII. The

group was supportive of considering adjusting the CAII seasonal closure to be impactful in reducing northern windowpane bycatch while also optimizing scallop yield (see Motion 1). The AP was also supportive of examining seasonal meat yield and bycatch dynamics in the NGOM and felt that this area may also be candidate for seasonal closures to optimize yield (see Motion 2, below).

**Motion 1: Hansen/Merl**

The AP recommends that the Scallop Committee task the PDT to develop seasonal closure options aimed at reducing windowpane bycatch and improving yield per recruit in the upcoming Framework action that will set specifications for fishing year 2023 and 2024 (default). This would involve revisiting and possibly changing the current yellowtail flounder seasonal closure in Closed Area II.

*Rationale:* This is consistent with recommendations from the Scallop PDT and the Evaluation of Rotational Management review to address bycatch and improve yield per recruit – particularly in access and management areas where the fishery is allocated pounds to harvest. This is a way to make the most of the available scallop resource. A focus should be on identifying seasons when yield is highest and bycatch rates are lower. Aiming to have benefits for the scallop resource and flatfish resources. The PDT should consider spawning in the development of seasonal closures.

*The motion carried by unanimous consent.*

**Motion 2: Martens/Lybarger**

The AP recommends that the Scallop Committee task the PDT to analyze seasonal changes in meat yields in the Stellwagen Bank region of the Gulf of Maine for possible seasonal closures that could be used to enhance harvest.

*Rationale:* There is fishing that takes place on Stellwagen Bank inside and outside of the NGOM management unit. This analysis should look at both areas.

*The motion carried by unanimous consent.*

**2023/2024 Research Set-Aside Priorities Discussion**

Council staff provided an overview of the RSA program and PDT recommendations for 2023/2024. There was limited discussion on RSA priorities. The AP recommended moving forward the PDT’s priority list by unanimous consent (see Motion 3). There was one comment from a member of the public who felt that the wind research priority was unnecessary because the impacts of offshore wind development on scallop biology was not highlighted in the language.

**Motion 3: Hansen/Lybarger**

The AP recommends that the Scallop Committee adopt the following list of Scallop RSA research priorities for 2023/2024 as recommended by the Scallop PDT in Document 2a:

High Priority:

1. SCALLOP RESOURCE SURVEYS: Industry-based scallop surveys using dredge and/or optical tools conducted at varying sampling intensities (e.g., intensive and resource-wide), and analysis of collected

survey data needed to support annual Atlantic Sea Scallop fishery management and scallop science needs. This includes industry-based surveys within Georges Bank and/or the Mid-Atlantic resource areas, and the Gulf of Maine including the Northern Gulf of Maine Management area.

Survey results must be available by early August of the year in which the survey is conducted (e.g., survey results that would inform 2024 fishing effort decisions must be available by mid-August 2023). 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 length frequencies, abundance and biomass estimates that are used by the Scallop Plan Development Team.

Medium Priority: (Not Listed in Rank Order – Equal Importance)

2. SCALLOP BIOLOGY: Research on Atlantic Sea scallop biology, including studies aimed at understanding recruitment processes (e.g., reproduction and gonad development, timing of spawning, larval transport, larval and early post-settlement stages, source/sink dynamics, age and growth, and yield), spatial population dynamics of the scallop resource, and examination of environmental stressors (anthropogenic and natural) and climate change on reproduction and growth. This priority also includes research on natural mortality processes, such as scallop predation (e.g., starfish, crab, snails), discard mortality, juvenile mortality events, and disease and parasites. The results of biology research should be informative to scallop stock assessments and projection models (current and future) and to support decision-making by fishery managers.

3. TURTLES: Research to support the investigation of sea 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 could also include research on gear design to reduce incidental takes of ESA-listed species. This research could assist in the collection of data that may be required by current or future biological opinions, to address reasonable and prudent measures of the biological opinion and could be used to evaluate current turtle regulations (e.g., timing and spatial extent of gear modifications). To the extent practical, data collected during turtle research should be leveraged to support decision making by fishery managers (e.g., bottom temperature data).

4. SCALLOP RESOURCE ENHANCEMENT: Research focused on the development of Atlantic sea scallop enhancement tools (spat collection, seed rearing in hatcheries, grow out of juvenile scallops, and offshore seeding of hatchery reared spat) to supplement the scallop population and fishery harvest in the federally managed scallop fishery. Research could focus on the development of standards and best practices for using husbandry techniques to enhance the wild capture fishery while mitigating the impact of predators or could evaluate the economic feasibility of enhancement efforts. This includes the placement of scallops in areas where they are more likely to contribute to wild sets of scallops. Research could focus on projects that aim to develop and(or) refine techniques for growing seed from spat and transplanting those scallops to beds in federal waters. Projects conducted in state waters should describe plans to comply with local and state regulations.

5. HABITAT CHARACTERIZATION RESEARCH: Research including (but not limited to): continuation of before after control impact (BACI) dredge studies; identification of which species and life history stages depend on particular habitats vulnerable to alteration by the scallop fishery for use as nursery, over-wintering, or spawning areas; evaluation of long-term or chronic effects of scallop fishing on the ecosystem; and habitat recovery potential from fine scale fishing effort. In particular, projects that would evaluate Essential Fish Habitat (EFH) closures to assess whether these areas are accomplishing their stated purposes and to assist better definition of the complex ecosystem processes that occur in these areas would be of interest. Finally, investigation of variability in dredge efficiency across habitats, times, areas, and gear designs to allow for more accurate quantitative estimates of scallop dredge impacts on the seabed and development of practicable methods to minimize or mitigate those impacts would also qualify under this research priority.

6. FISHING IN HIGH DENSITY AREAS: Research to examine the impacts of intensive fishing effort in areas of high scallop densities such as impacts of sediment disruption, impact of high volumes of viscera on the benthic environment and water quality, scallop shell damage, repeated harvest/discarding cycles, and re-examination of non-harvest mortality assumptions. This may include research that occurs concurrently with harvest. This priority includes research into fisherman's behavior and decision making and ways to improve fishing practices to minimize waste and maximize yield.

7. WIND: Research aimed to support scallop management through studies that assess socioeconomic impacts on the scallop fishery from offshore wind energy development and production across multiple lease and call areas. This priority also includes research that aims to characterize the impacts of offshore wind energy development on scallop surveys through simulation modeling recommended by the Scallop Survey Working Group , and research that assesses the utility and feasibility of alternative sampling tools.

General Research (Not Listed in Rank Order – Equal Importance)

8. 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 or respond to the implementation of accountability measures. Projects should consider the enforceability and feasibility of regulations in the commercial fishery.

9. COMMERCIAL DREDGE GEAR: Commercial dredge research to improve scallop catch efficiency, improve scallop size selectivity, reduce scallop damage (discard and incidental mortality), reduce non-target species bycatch, and to reduce fuel consumption and improve energy efficiency.

*The motion carried by unanimous consent.*

## Other Business

Under other business, the AP gave some reports on fishing year 2022 to date:

- Catch rates in the Nantucket Lightship South have dwindled to a point where taking trips is not economically viable. The small size of the scallops is an issue, along with product quality, and the high price of fuel.
- Catch rates and yield have been poor in Southern New England, including areas that overlap with wind development areas which have been historically productive.
- Open area fishing around Long Island has been productive. The AP reported that the seasonal yield in this area increased substantially between February and May.
- There were concerns around fuel prices continuing to increase and market prices decreasing. Some on the AP were also concerned about these shifting dynamics given the premium paid at the beginning of the fishing year for LAGC IFQ quota leases (~\$6).
- In Closed Area II, yield has continued to improve as the season progresses. 20-30 count scallops are found in high densities. The AP was optimistic that CAII could support rotational fishing in FY2023.

Also under other business, a member of the AP noted that President Biden is calling for the establishment of the Hudson Canyon National Marine Sanctuary and felt that the industry should be represented at public hearings where comments will be accepted on the proposal.

No other business was discussed. The meeting adjourned at 12:45 PM.