



## New England Fishery Management Council

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# MEETING SUMMARY

## Scallop Advisory Panel

Webinar

November 19, 2025

The Scallop Advisory Panel (AP) met via webinar on November 19, 2025 at 9:00AM to: 1) Discuss Framework 40 and select final preferred alternatives for Committee consideration; 2) Review the draft Long-Term Strategic Plan; 3) Discuss other business.

**MEETING ATTENDANCE:** James Gutowski (Chair), Tom Coley, Derek Eilertsen, Jay Elsner, Paul Vafides, Ed Mullis, Chris Merl, Charlie Quinn, Wes Brighton, Brady Lybarger, Kirby Aarsheim; Council Staff: Connor Buckley, Chandler Nelson, Jonathon Peros, Naresh Pradhan; Scallop Committee: Melanie Griffin, Eric Hansen, Ted Platz, Michelle Duval, Renee Zobel

Approximately 45 members of the public were also in attendance.

### **KEY OUTCOMES:**

The Scallop AP developed the following recommendations to the Scallop Committee for preferred alternatives in Framework 40:

- Recommend that the Committee adopt in Section 4.1, Alternative 4.1.2, updated OFL and ABC for FY 2026 and FY 2027, as the preferred alternative.
- Recommend that the Committee add an alternative to Framework 40 in Section 4.2.1 setting the NGOM TAL at  $F=0.25$  for all open areas in the NGOM and select as the preferred alternative.
- Recommend that the Committee add an alternative to Framework 40 in Section 4.3 allocating 38 DAS with no access area allocation and select as the preferred alternative.
- Recommend that the Committee adopt in Section 4.4, Alternative 2 (4.4.2) Update LAGC IFQ Access Area Trip Allocations, Distribute LAGC IFQ Access Area Allocation to available access area(s), as the preferred alternative.
- Recommend moving the following alternatives to considered but rejected:
  - For Action 2, NGOM TAL: Alternatives 2 and 3.
  - For Action 3, Fishery Specifications: Alternatives 2, 5, 6, 7, 8 1.

Regarding the Long Term Strategic Plan, the Scallop AP recommended accepting the Scallop Long-Term Strategic Plan as complete and satisfying the 2025 work priority.

### **AGENDA ITEM #1: FRAMEWORK 40**

Council staff opened with a presentation on Framework 40, outlining the range of alternatives to be considered by the Advisory Panel (AP) and anticipated impacts. The presentation included updated fishery performance data for 2025, such as landings and LPUE trends. Staff highlighted that Area I still has substantial latent effort and that IFQ landings appear higher than the APL only because carryover

landings were not included in the initial dataset. While outlining alternatives for the Northern Gulf of Maine (NGOM) total allowable landings (TAL), Council staff noted that the Scallop Plan Development Team (PDT) did not recommend consideration of Action 2, Alternative 3 because of the lack of analytical and implementation support from NMFS during the government shutdown, and noting that the measure could decrease the likelihood of publication of the Framework 40 Final Rule by April 1 if this alternative were considered. As the NGOM season typically concludes before early-to-mid May, a delayed Framework 40 would negate the benefits of the split NGOM management area defined under Action 2, Alternative 3.

**Discussion:** An AP member asked whether staff had produced any rough projections for FY 2027 assuming no access area allocations. They noted that the PDT's preferred alternative of 34 open-bottom DAS for FY 2026 suggests that issuing more days this year may reduce biomass available for the following year. Council staff responded that such projections cannot be produced without SAMS model outputs and that meaningful evaluation will only be possible once those are available.

**Public Comment:**

- **John Quinn (Fisheries Survival Fund)** confirmed that this is the first specifications cycle using the updated stock reference points from the 2025 Research Track Assessment (RTA) and asked how this process has gone so far. Council staff stated that implementation of model parameters and reference points have been smooth, noting that new catch limits are not expected to be constraining to scallop fishery allocations. Dr. Quinn then asked whether the new reference points decreased projected exploitable biomass. It was clarified that the current understanding of exploitable biomass itself is based on the 2025 survey results, but updates to natural mortality assumptions have reduced projected exploitable biomass relative to prior years.
- **Samir Patel (Coonamessett Farm Foundation)** noted that the Mid-Atlantic bottom temperature projections rely heavily on bottom temperature data, and if those data become harder to obtain, the models will deteriorate. He added that sea turtles are extremely effective at collecting detailed temperature information in that depth range, so continued or expanded use of turtle-based data could help maintain the quality of Mid-Atlantic temperature models.

*Section 4.1 – Action 1 – Overfishing Limit and Acceptable Biological Catch*

**1. MOTION (ELSNER/FULCHER)**

Recommend that the Committee adopt in Section 4.1, Alternative 4.1.2, updated OFL and ABC for FY 2026 and FY 2027, as the preferred alternative.

**Rationale:** This option updates the OFL and ABC based upon the best available science. This is a pro forma update that the Scallop FMP does every year.

**Discussion:** None

**Public Comment:** None

**MOTION #1 CARRIED UNANIMOUSLY BY CONSENT**

*Section 4.2 – Action 2 – Northern Gulf of Maine Management and TAL Setting*

**2. MOTION (ELSNER/FULCHER)**

Recommend that the Committee add an alternative to Framework 40 in Section 4.2.1, Set NGOM TAL at  $F=0.25$ , with set-asides to support research, monitoring, and a directed

LAGC fishery. Set NGOM TAL at  $F=0.25$  using all areas in the NGOM (Stellwagen Bank, Ipswich Bay, Jeffreys Ledge, Platts Bank, and Machias Seal Island), and select as the preferred alternative.

**Rationale:** This alternative would set a single fishing mortality rate for the entire NGOM, and would set the NGOM TAL at a higher  $F$  rate than Alternative 2.

**Discussion:** The AP felt strongly that Alternative 2 would set the NGOM TAL too low, and would have a negative economic impact on NGOM fishermen, and agreed that Alternative 3 should not be pursued because of the unlikelihood that it could be implemented by April 1. Instead, the AP moved to add another alternative to Framework 40, which would set the NGOM TAL using an  $F=0.25$  for all open areas in the NGOM, and selected that as preferred. An AP member asked whether the PDT could evaluate a range of  $F$  rates for the NGOM TAL (e.g.,  $F = 0.25$  in one area and  $F = 0.18$  in another). Council staff responded that this motion is not the place to specify multiple values and that the PDT would be looking for a single  $F$  rate to calculate the NGOM TAL.

Public Comment:

- **Jeff Kaelin (Lund's Fishery)** asked whether the motion would increase the overall  $F$  rate for NGOM areas outside Stellwagen. It was clarified that most effort has occurred on Stellwagen due to dense concentrations of large scallops, and although effort may spread somewhat this year, fishing will still concentrate where biomass is highest regardless of the  $F$  chosen for calculating the TAL.
- **Kyle Grant (NGOM Scallop Fisherman, Gloucester)** noted that  $F = 0.25$  is unlikely to gain support at the Committee level and suggested that the AP consider using  $F = 0.22$  instead. He asked Council staff to confirm that the default  $F$  used for the NGOM set-aside would correspond to  $F = 0.22$ , and staff confirmed that this is correct.

## **MOTION #2 CARRIED 9-2 WITH NO ABSTENTIONS**

### *Section 4.3 – Action 3 – Fishery Specifications*

#### **3. MOTION (AARSHEIM/MULLIS)**

Recommend that the Committee add to Framework 40 in Section 4.3, Alternative 9, 38 Days-at-Sea, and select as the preferred alternative. This includes:

- 38 DAS for Full-time Limited Access vessels (Open area  $F=0.384$ )
- Part-time Limited Access would be set at 15.2 DAS
- Closures of the Nantucket Lightship (North and South only) and Area II, consistent with Section 4.3, Alternatives 2 – 4.

**Rationale:** With no access area trip allocation, 38 DAS will allow the fleet to spread out their effort across an expanded open bottom (Elephant Trunk and Area I open), while still representing a reasonable open bottom fishing mortality rate within the range of what the Council has considered in previous years.

**Discussion:** The AP had a lengthy discussion on DAS and access area allocations, particularly in regard to the Elephant Trunk (ET), and weighed the risks associated with leaving the scallops in the ET to continue to grow when the area has experienced high natural mortality in recent years.

Opposition to the motion felt that Area I and ET should both be closed, considering these areas are important potential access areas to support the fishery in upcoming years. Others felt that 38 DAS was too high, and preferred the PDT's recommendation of 34 DAS. Others emphasized the need to protect closed-

area bottom and questioned whether opening these areas aligned with long-term rotational management goals.

Supporters of the motion believe that there is too much risk involved in not harvesting the scallops in these areas before they can be lost to natural mortality. They noted that DAS are self-regulating and that the proposed DAS level reflects the importance of providing sufficient fishing opportunity given current stock conditions.

**Public Comment:**

- **John Quinn** voiced support for the motion and noted that none of the proposed alternatives approach OFLs or ABCs, and that National Standard 8 requires the Council to consider economic impacts on fishing communities when conservation concerns are not limiting. He said that 38 DAS is consistent with the requirements of the Magnuson-Stevens Act.
- **Paul Weckesser (Scallop Vessel Owner, New Bedford)** voiced support for opening the Elephant Trunk but not for the increase in DAS provided in this motion.

**MOTION #3 CARRIED 6-5 WITH NO ABSTENTIONS**

*Section 4.4 – Action 4 – Access Area Trip Allocations to the LAGC IFQ Component*

**4. MOTION (LYBARGER/FULCHER)**

Recommend that the Committee adopt in Section 4.4, Alternative 2 (4.4.2) Update LAGC IFQ Access Area Trip Allocations, Distribute LAGC IFQ Access Area Allocation to available access area(s).

**Rationale:** This alternative would be consistent with LAGC IFQ Access Area allocations in recent years.

**Discussion:** There was limited discussion about the LAGC IFQ access area allocations and where they could be fished, clarifying how the AP's decision would play out if there were no access area trips allocated. It was noted that, should no access areas be allocated, neither the Limited Access nor LAGC IFQ components would have an access area allocation.

**Public Comment:** None

**MOTION #4 CARRIED 10-1 WITH NO ABSTENTIONS**

*Considered but rejected alternatives*

**5. MOTION (LYBARGER/MULLIS)**

Recommend that the Council move the following Framework 40 alternatives to Considered but Rejected:

Section 4.2.1

- Alternative 2
- Alternative 3

**Rationale:** The AP does not support the severe reduction in the NGOM TAL under Alternative 2, nor is there sufficient time to analyze or implement the split in the NGOM area defined under Alternative 3.

**Discussion:** None

**Public Comment:** None

**MOTION #5 CARRIED UNANIMOUSLY BY CONSENT**

**6. MOTION (FULCHER/MULLIS)**

Recommend that the Council move the following Framework 40 alternatives to Considered but Rejected:

Section 4.3

- Alternative 2
- Alternative 5
- Alternative 6
- Alternative 7
- Alternative 8

**Rationale:** The PDT did not support alternatives that included access area trip allocations (Alternative 5 – 8), and the AP does not support Alternative 2 due to the limited DAS allocation. Removing these alternatives would streamline the range of alternatives in Section 4.3 in Framework 40.

**Discussion:** None

**Public Comment:**

- **John Quinn** echoed that the purpose of moving alternatives to “considered but rejected” was to allow for the streamlining of Framework 40 and increase the probability of implementation by April 1.

**MOTION #6 CARRIED UNANIMOUSLY BY CONSENT**

***AGENDA ITEM #2: LONG-TERM SCALLOP STRATEGIC PLAN***

The AP received a presentation from Council Staff on the final draft of the Strategic Plan Roadmap document. The AP were asked for input regarding the use of Scallop strategic plan evaluating process or next steps.

**Discussion:** An AP member asked what the Executive Committee discussed regarding the Strategic Plan and whether they had approved any specific elements. Council staff responded has discussed items on the Strategic Plan that were recommended by the Scallop Committee in October, and that the Council would be voting on 2026 work priorities in December.

**Public Comment:** None

**7. MOTION (MULLIS/FULCHER)**

Move that the AP recommend to accept the Scallop Long-Term Strategic Plan as complete and satisfying the 2025 work priority.

**Rationale:** The AP is supportive of the Scallop Long-Term Strategic Plan, and particularly in highlighting the importance of continued discussion of Limited Access leasing and the development of a scallop access area in the Northern Edge.

**Discussion:** Several AP members expressed concerns about elevating the Northern Edge and consolidation as top priorities. One AP member said they view the Northern Edge as an important issue but have consistently opposed consolidation in the Limited Access fishery. Another cautioned that the rationale for the motion should not give the impression that the AP broadly supports consolidation, emphasizing that it should not be highlighted as a high priority. Multiple AP members felt that while they did not want the Council to lose sight of the importance of the Northern Edge and consolidation issues, they still had concerns about how the motion framed those topics.

**Public Comment:**

- **Ron Smolowitz (Fisheries Survival Fund)** asked how priorities and timelines would be set within the Strategic Plan. Council staff responded that the Strategic Plan is intended to inform the Council's annual work-priority process.
- **Paul Weckesser** commented that the motion appeared to elevate two topics above all others, which he felt did not reflect the full range of views expressed throughout the Strategic Plan development process.

**MOTION #7 FAILED 4-5 WITH ONE ABSTENTION**

**8. MOTION (MERL/LYBARGER)**

Move that the AP recommend to accept the Scallop Long-Term Strategic Plan as complete and satisfying the 2025 work priority.

**Rationale:** The AP is supportive of the Scallop Long-Term Strategic Plan, and highlights the importance of the Strategy to develop a scallop access area on the Northern Edge.

**Discussion:** None

**Public Comment:** None

**MOTION #8 CARRIED UNANIMOUSLY BY CONSENT**

**AGENDA ITEM #3: OTHER BUSINESS:**

*Gear conflict with the offshore lobster fishery*

- **Drew Minkiewicz** made the AP aware of large concentrations of lobster gear that have been preventing scallopers from fishing in large parts of Area I and Area II.

*Permit Buyback Program*

- **Paul Weckesser** noted his support for a permit buyback program in the fishery.

*Scallop RSA Program*

- **Todd Bragdon (Scallop fisherman, Oneonta Fisheries Inc)** noted his support for a more equitable way to distribute scallop RSA compensation pounds

*Availability of LAGC IFQ quota*

- **Dylan Shrader (Scallop fisherman, F/V Rolex)** raised a concern about vessels with both an IFQ and state-waters permit having to use their IFQ to fish in state waters, noting that the current

interpretation of the regulation makes the state program inaccessible for federally permitted LAGC IFQ vessels with low allocations.

The meeting was adjourned at approximately 12:50PM