



## New England Fishery Management Council

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

John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

## MEETING SUMMARY

### Scallop PDT Meeting

July 24, 2019

Mariners House, Boston, MA

The Scallop PDT met in Boston, MA on July 24, 2019 to: 1) GB yellowtail: Develop options for mitigating impacts on GB yellowtail, and discuss a draft memo to the Groundfish PDT; 2) Amendment 21: Develop draft alternatives based on Committee tasking, and consider data needs for affected environment and analysis of valued ecosystem components (VECs); 3) 2019 Surveys: Discuss timelines, standardization, and outputs for FW32; 4) FY2018 & FY2019: Review landings and VMS data, and; 5) discuss other business.

**MEETING ATTENDANCE:** Jonathon Peros (PDT Chair), Sam Asci, Dr. Naresh Pradhan, Dr. Rachel Feeney, Dr. David Rudders, Dr. Bill DuPaul, Dr. Dave Bethoney, Travis Ford, Ben Galuardi, Dr. Dvora Hart, Chad Keith, Dr. Cate O’Keefe, Tim Cardiasmenos, and Mike Kersula. Approximately 6 members of the public were in attendance.

The meeting began at 10:10 am. Following roll call, Council staff briefly reviewed the agenda and provided the PDT with a list of upcoming meetings.

### Mitigating impacts to Georges Bank yellowtail

**Biweekly GB yellowtail bycatch analyses:** The PDT received a presentation on GB yellowtail bycatch trends in the scallop fishery at two-week increments. The analyses were tasked by the Scallop Committee in May 2019 to inform the potential extension of the current seasonal closure of CAII access area.

*Key PDT discussion points and recommendations:*

- It was suggested that extending the existing CAII closure (August 15<sup>th</sup> – November 15<sup>th</sup>) to include late fall/early winter would likely do more for reducing flatfish bycatch compared to extending the closure earlier in August. It was noted that scallop meat yield tends to be lower during the late fall/early winter in CAII, and there are potential safety concerns to consider related to fishing on eastern GB during that time of year (i.e. there are less favorable weather/fishing conditions during the winter).
- The PDT noted that extending the seasonal closure into late fall/early winter would likely reduce both GB yellowtail and Northern windowpane bycatch.
- Outside of the time window considered in analyses, the PDT noted that the month of April appears to have very high GB yellowtail bycatch in CAII. A PDT member suggested that delaying the opening of CAII for the month of April (i.e. the first month of the scallop

fishing year) would help reduce GB yellowtail and Northern windowpane bycatch and would have a positive impact on the scallop resource in that it would also align fishing effort more closely with higher scallop yield.

- A member of the public felt that if the current CAII seasonal closure were to be extended, the potentially negative impacts of displaced effort on other flatfish stocks should be considered.

**Review of extended link gear modification research findings:** Farrell Davis of the Coonamessett Farm Foundation (CFF) presented findings from a recent RSA project that assessed a modified gear (i.e. extended link) to reduce bycatch of GB yellowtail and other non-target species. The final report for this study can be accessed at the following link:

[https://www.nefsc.noaa.gov/coopresearch/pdfs/FR17-0032\\_Revised.pdf](https://www.nefsc.noaa.gov/coopresearch/pdfs/FR17-0032_Revised.pdf).

*Key points from PDT discussion:*

- Mr. Davis explained that the CFF seasonal bycatch survey has continued examining flatfish reduction parameters of a modified dredge with a 5-row apron and 1.5:1 hanging ratio relative to a standard 7-row apron dredge. This modified gear was first introduced in a 2012 study and has since been integrated into the Scallop FMP as a reactive accountability measure for Northern/Southern windowpane and SNE/GB yellowtail flounder stocks. More recent comparisons suggest that the bycatch reduction of a 5-row apron relative to a 7-row apron may be less than what was estimated in the 2012 study; it was suggested that this is in part due to GB yellowtail catch in the survey being highly variable and generally dwindling over time as well as variability in scallop catch and length-frequency over the time series. Overall, it appears that shortening the dredge apron (i.e. 5-row) is reducing flatfish bycatch relative to a 7-row apron, but not eliminating it.
- Mr. Davis presented relative bycatch savings that could be expected from using the extended link in different parts of CAII on a seasonal basis. This exercise used preliminary yellowtail and windowpane bycatch rates estimated from the CFF seasonal bycatch survey in CAII at the station level. Yellowtail and windowpane savings appeared to be greatest during late winter/early spring (i.e. February to April), and savings appeared to be most substantial along the shallow depth contour in the central and northeast portion of CAII AA.
- The PDT discussed whether the savings gained from the extended link would substantially reduce overall bycatch across the fishery. Mr. Davis explained that this reduction estimate is based on pooled data from all survey trips conducted, which makes it difficult to see the bycatch savings gained from the extended link due to variability in yellowtail and scallop catch over time. He further suggested that a much greater reduction in yellowtail could be expected if the extended link was used in areas with very high yellowtail catch.
- Mr. Davis noted that some industry members are already using the extended link gear configuration voluntarily because it makes for cleaner tows. A member of the PDT suggested this point be raised to the NEFOP to ensure that the extended link configuration is accounted for in observer records (which it is currently not).

**Summary of recent Closed Area II fishery data:** The PDT received a presentation on scallop fishery data (i.e. cumulative landings by market grade, average market price, landings and revenue by state landed, total value of scallops landed) related to fishing in Closed Area II in FY2017.

*Key points from PDT discussion:*

- The PDT highlighted the significant economic value of access to CAII in FY2017 (i.e. approximately \$63 million) and agreed that this information should be included in the GB yellowtail memo to the Groundfish PDT.
- Based on interannual trends in price and landings from CAII and CAII-ext, vessels that fish CAII later in the year seem to have better economic gain.
- A member of the PDT suggested comparing the value of a CAII access area trip to the scallop fishery with the overall value of the GB yellowtail stock. They felt that this comparison may better inform reliance of each fishery on GB yellowtail and open the door for future discussions on how the overall GB yellowtail ACL is partitioned. Several PDT members supported this idea, though the PDT did acknowledge that the focus of the memo should be on scallop fishery activity on eastern Georges Bank.
- It was suggested that additional measures to reduce GB yellowtail bycatch being developed in FW32 should not be implemented if scallop fishery bycatch projections for FY2020 are below the scallop fishery sub-ACL.
- Several members of the PDT supported looking at historical annual d/K ratios of GB yellowtail and how they might correlate with scallop survey indices over time.
- A member of the PDT noted how trading CAII trips is common among LA vessels, especially vessels in the southern range of the fishery that may not be able to access CAII as easily as vessels that are homeported in closer proximity to CAII. They felt this may be worth investigating and sharing with the SSC.
- The PDT suggested analyzing vessel dependence on CAII as a way to describe the overall value of this part of the resource to individual scallop vessels.

*PDT recommendations related to GB yellowtail:*

- Ideas from the PDT for FW32 alternative development include:
  1. Consider a finer spatial scale closure in CAII (i.e. central and northeast part of the access area).
  2. Consider a maximum hanging ratio for the fishery (i.e. in addition to a maximum apron length).
  3. Consider the month of April in time/area closure or gear restricted area analyses moving forward due to the bycatch reduction potential and benefits to the scallop resource.
- Overall, the PDT felt that the GB yellowtail sub-ACL should scale with the scallop fishery's access to CAII

## Amendment 21—NGOM Management:

The PDT continued discussion around potential alternatives for consideration in Amendment 21 related to NGOM management issues. The following sections summarize key points and recommendations from PDT discussion around each sub-issue to be addressed in A21.

**Hardwire access for LA fishery in NGOM under range of biomass:** The PDT reviewed input from a recent NGOM sub-group discussion on approaches for allocating NGOM access to the LAGC and LA components at a range of biomass. From a biological perspective, the sub-

group recommended examining carrying capacity of the NGOM in terms of scallop biomass as a starting point. The PDT reviewed biomass estimates from recent surveys in the NGOM and focused on total/exploitable biomass estimates from the 2016 ME DMR/UMaine survey which covered the majority of known fishing grounds within the area. The sub-group felt that the 2016 survey could be representative of “high” biomass in the NGOM at around 5 million pounds.

- The on-going 2019 survey conducted by ME DMR/UMaine has similar coverage to the 2016 survey, excluding the eastern Maine area (i.e. surveyed in 2016) and with the addition of southern Stellwagen Bank (i.e. south of the NGOM boundary).
- It was noted that for the rest of the resource, allocations are based on projected exploitable biomass—a member of the PDT recommended that scallops 75 mm or greater detected in the 2019 NGOM survey should be expected to reach exploitable size by FY2020 (i.e. based on typical annual growth rates).
- The PDT agreed that the threshold for allocating NGOM access to the LA component should be based on exploitable biomass.

**Minimizing the current derby-style fishery:** The PDT reviewed discussion points from a recent NGOM sub-group call relating to measures that would minimize the current derby-style fishery in the NGOM. Staff presented fishery data to help inform discussion on this issue, including the number of trips per week by active vessels in the NGOM in FY2019, the number of occurrences when a vessel sailed two times in one calendar day, and the revenue from NGOM scallops relative to other fisheries by vessels active in the NGOM over the past several years.

- The PDT noted that recent NGOM TACs have been based on biomass and anticipated fishing effort on Stellwagen Bank and Jeffreys Ledge. Considering that vessels tend to fish where catch rates are high (i.e. Stellwagen, Jeffreys), it was suggested that limiting the number of times a vessel can sail in a week may only marginally lengthen the NGOM season and do little to spread effort out across the rest of the NGOM.
- The PDT reviewed two potential solutions to spreading effort out across the fishing year as discussed by the sub-group: 1) limit the number of times a vessel can sail per week (e.g. 4 times per week)—this would lengthen the season, but may encourage boats to fish when conditions are less safe, potentially favoring larger vessels involved in the NGOM fishery; 2) partition allocation into multiple TACs (i.e. 2 seasons, trimesters, or quarters)—this would spread out landings over the course of the year, although it may not necessarily extend a “spring” season.
- The PDT noted that extending the NGOM season—specifically, the effort on Stellwagen seen in the past few years—would likely create gear conflicts with fixed gear that gets fished later in the spring.
- The PDT noted that spreading out effort spatially may be accomplished by partitioning the overall TAC to sub-areas within the NGOM. The PDT was weary of employing fine-scale rotational management due to data limitations and variability in the NGOM resource, but felt

that allocating the overall TAC to two broader areas (i.e. north and south) could provide opportunity to vessels that have not fished on Stellwagen in April the past few years.

- The PDT discussed tradeoffs associated with NGOM management measures and noted that increased complexity (i.e. fine-scale spatial and temporal management) will likely require additional annual PDT resources.
- The PDT noted that most scoping comments received on this topic were in favor of keeping the current timing of the NGOM fishery (i.e. early spring), and that there were very few comments in support of extending it. Considering this, the PDT felt that more clarification was needed from the Committee on what these measures are trying to achieve (i.e. extend timing of the fishery to allow more vessels to participate that are active in other fisheries during the spring, extend the length of the NGOM fishery for the vessels that have fished it recently, spread effort out spatially) before developing alternatives further.

**IFQ usage in state water fisheries:** The PDT reviewed the Committee motion around removing the requirement for LAGC IFQ/state licensed scallopers to use IFQ when fishing in state waters of the NGOM, and discussed the structure of the state waters exemption program, including how exemptions are established.

- It was suggested that this exemption could negatively impact state fisheries that do not set annual TACs (i.e. Massachusetts) because dually permitted LAGC IFQ/state waters vessels may be incentivized to fish in state waters to avoid using IFQ. This ramping-up of effort could lead to an unintended increase in fishing mortality for the state waters resource.
- The PDT noted that enforcing this exemption would be very difficult; for example, dually permitted vessels fishing in state waters would never cross the demarcation line after declaring out of the federal fishery, making it very difficult to track fishing activity. A member of the PDT suggested that if this exemption is pursued, dually permitted vessels should have to declare out of the federal fishery for the entirety of the state waters season.
- The PDT acknowledged that the overarching issue with this exemption is that both federal and state waters landings were considered in the qualification criteria for the LAGC IFQ program (at that time, it was difficult to distinguish federal vs. state landings during the qualification period). The PDT agreed that exempting the use of IFQ in state waters fisheries would allow for “double dipping” and would create an equity issue for the entire LAGC IFQ component.
- It was noted that the state waters exemption program was established to allow federally permitted vessels access to state water fisheries. Considering that LAGC IFQ vessels already do have access to state water fisheries (i.e. under the condition that they must use IFQ when participating in them), several PDT members agreed that an exemption from this requirement is more about circumventing federal regulations.
- The PDT recommended examining how many LAGC IFQ vessels are using quota to land state scallops.

- The PDT suggested that allowing LAGC IFQ vessels to participate in the state waters fishery does not achieve the NGOM objectives identified by the Council in Amendment 21.

## 2019 Scallop Survey Data

The PDT briefly discussed survey data deadlines, standardization of survey reports/data, and how SAMS model outputs will be structured for FW32. The “short report” format established in 2018 will be used again this year. The updated SAMS area configuration and area names will also be used for 2019 survey short reports and data visualization. SAMS model outputs of projected bycatch, swept area, and fishing mortality by SAMS area will be referenced in the impacts section of FW32.

## Review 2018 Final Scallop Year-End Report

Ben Galuardi (GARFO, APSD) provided a brief presentation of the FY2018 scallop fishery year-end report, which describes realized landings relative to allocated/projected harvest for the year.

- It was noted that there was an overage of the LAGC share of the NGOM TAC in FY2018—this overage will be taken off next year’s (i.e. FY2020) TAC.
- The PDT observed that FY2018 realized catch was very close to what was projected for the fishery. The PDT discussed potentially examining fishery performance with what was projected for past years to inform how the SAMS model is performing. Dr. Hart noted that work is underway to compare realized LPUE by SAMS area (i.e. based on VTR and VMS data) with SAMS LPUE projections over the past several years—this is intended to help track performance of projections in the past, and to better understand the connection between LPUE and biomass to inform expected fishing effort by SAMS area based on projected exploitable biomass. Dr. Hart noted that the connection between LPUE and exploitable biomass in open areas will be investigated first.
- Staff noted that state waters landings are accounted for in the ACL flow chart of each specifications action, estimated as the average of the preceding three years. It was noted that 2019 Maine state waters landings are not expected to change (relative to last year). Dr. O’Keefe (MA DMF) acknowledged that the increase in state waters landings may be due to Massachusetts state scallop fishery; although, information is not available on exactly how much landings increased or where the effort was taking place (i.e. due to a lag in data processing). It was noted that 2018 Massachusetts state landings data will be available before finalizing the overall state waters landing estimate in FW32.

## Review of FY2018 VMS Activity

Staff updated the PDT on scallop fishery VMS hours fished for the complete 2018 fishing year and first two months of FY2019 (i.e. heat maps of fishing activity and breakdown of effort by SAMS area). The PDT noted that effort within the ET-Flex SAMS area appeared to have the

same spatial footprint in FY2018 as it did in April/May of FY2019. The group also flagged 2018 effort in Delmarva, which was unexpected.

## FY2019 Scallop Grades and LPUE

Ben Galuardi (GARFO, APSD) provided the PDT with an update of FY2019 to-date market prices and open area LPUE. A member of the PDT commented that with the increasing size of the open area LPUE time series, a decomposition exercise could be performed to better describe annual, seasonal, and long-term trends in catch rates. Landings in recent years have trended toward larger market grades, which is expected since 1) the fishery is harvesting scallops that were part of the exceptional 2012- and 2013-year classes, and 2) recruitment has been unremarkable for several years.

## Other Business:

No other business was discussed. The meeting concluded at 3:53 PM.