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New England Fishery Management Council

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

MEMORANDUM

DATE: February 19, 2020
TO: Scallop Committee
FROM: Vincent Balzano, Scallop Committee Chair
SUBJECT: **Purpose for Scallop AP meeting on February 27, 2020**

The next Scallop Committee meeting will be held at the Hilton Garden Inn in Boston, MA on Thursday, February 27, 2020 at 8:30 AM. The Scallop AP will convene on Wednesday, February 26, 2020 at the same location. Paper copies will not be mailed to you before the meeting. Documents for this meeting will be e-mailed to you as they become available.

Purpose: The main objectives of the Committee meeting are to:

- 1) Recap the 2020 scallop work priorities, and meeting outlook for 2020.
- 2) Amendment 21: Review goals, objectives, and status of this action. Provide input on the range of alternatives to include in this action, and additional tasking if necessary.
- 3) Discuss 2019 fishery performance, and outlook for 2020, with a focus on NLS-West.
- 4) Receive updates on modifications to scallop dredge exemption areas and LA DAS reporting requirements, and status of type-approved VMS units.
- 5) NLS-S-Deep Access Area Trips: Overview of the NEFOP policy on life raft capacity requirement when carrying an observer on board.
- 6) Discuss 2019 fishery performance, and outlook for 2020, with a focus on NLS-West.
- 7) Other Business

There will be another set of AP and Committee meetings on Thursday, March 26, 2020 and Friday, March 27, 2020. The full Council is scheduled to meet in Mystic, CT from April 14 to April 16, 2020. The scallop report will be scheduled as the meeting approached.

Meeting Materials: Paper copies of the documents listed below will be provided at the meeting. A PDF of each document will be posted to www.nefmc.org. Staff will provide copies of any additional meeting materials that are not included in this package. If you have any questions about the documents, please contact Jonathon Peros (jperos@nefmc.org; 978-465-0492 ext. 117).

Documents:

- Meeting Information
 - a. Meeting Agenda
 - b. Meeting Memo from Committee Chair, Mr. Vincent Balzano
 - c. Staff presentation (*to be provided*)
- 2019 Fishery Performance and Outlook for 2020
 - a. Updated Landings and LPUE data for FY 2019
 - b. Landings, price, and revenue from NLS-West (2018 & 2019)
- Scallop Amendment 21 <https://www.nefmc.org/library/amendment-21>
 - a. Draft A21 Alternatives (in development)
 - b. Draft A21 Affected Environment (background data)
 - c. SARC 65 Appendix 3 – Gulf of Maine
 - d. A21 Action Plan
- Relevant Meeting Summaries:
 - a. May 23, 2019 Scallop Committee Meeting Summary (A21 tasking motions)
 - b. July 24, 2019 Scallop PDT Meeting Summary
 - c. September 19, 2019 Scallop Committee Meeting Summary (A21 tasking motions)
 - d. February 10, 2020 Scallop PDT Meeting Summary
- Correspondence

Additional materials may be added, and presentations will be shared as they become available.

Update on 2020 scallop work priorities

Recent Activity: Council staff will speak to two topics: 1) The Council approved 2020 scallop priorities on December 5, 2019. The priority list includes setting specifications for 2021/2022, tracking bycatch, supporting the RSA program, and work on Amendment 21. 2) At the December 2019 Council meeting, the Council adopted a new policy and procedure for making mid-year modifications to the priority list. Under the new process, once the priorities are adopted any changes must be reviewed by the appropriate oversight committee before being brought to the Council. Once changes have been brought to the appropriate committee, any mid-year change must be approved by a 2/3 vote of the Council members present.

Anticipated Outcomes: No action required.

Modifications to scallop dredge exemption areas and LA DAS reporting requirements

Recent Activity: Earlier this year NOAA has published the final rule for changes requested by the Council to expand scallop dredge exemption areas. The rule expands where the LAGC IFQ component can fish on Georges Bank so that LAGC IFQ vessels can now fish east of the Great South Channel. This rule also requires Limited Access vessels to submit a VMS pre-land when fishing DAS. The rule change became effective on February 14, 2020. Council staff will summarize changes.

Anticipated Outcomes: No action required.

Amendment 21 to the Scallop FMP

Recent Activity: The Council has prioritized work on Amendment 21 to the Atlantic Sea Scallop FMP as a 2020 priority. Amendment 21 is expected to address three specific issues: 1) measures related to the Northern Gulf of Maine (NGOM) Management Area, 2) Limited Access General Category (LAGC) individual fishing quota (IFQ) possession limits, and 3) ability of Limited Access vessels with LAGC IFQ to transfer quota to LAGC IFQ-only vessels. Following 10 scoping meetings, the Scallop Committee directed work on this action at its May 23, 2019 and September 19, 2019 meetings. The Scallop Plan Development Team discussed tasking during several meetings in 2019, and recently discussed this action during two conference calls (January 24, 2019 & February 10, 2019).

Next Steps: Council staff will summarize the status of Amendment 21, and present recent progress on this action. The AP and Committee will have the opportunity review the draft alternatives and affected environment. Changes and updates (based on AP and Committee input) will be made between the February and March AP/Committee meetings.

To keep Amendment 21 moving forward, the Council is expected identify a range of alternatives at its April 2020 meeting in Mystic, CT. As part of this process, the AP and Committee will be asked to provide feedback and input on the range of alternatives that that Council will consider over the next two meetings (February and March).

If the Council does not identify the range of alternatives for Amendment 21 at its April 2020 meeting, the timeline presented in the Amendment 21 action plan would likely be extended. If the Council selects a range of alternatives in April, some progress on 2020 work priorities could be expected ahead of the June Council meeting. The Council will be developing specifications for 2021 and 2022 this fall, with a final vote expected at the December 2020 meeting.

Anticipated Outcomes from this Meeting:

Please Review A21 Draft Alternatives and Affected Environment and be ready to address the following issues.

- The AP and Committee should review the goals and objectives that have been identified for this action. These are used to guide the development of alternatives.
- The AP and Committee should be ready to provide feedback and input on the draft range of alternatives and the affected environment. This may include:
 - a. Tasking motions that seek additional information to support the development of A21.
 - b. Motions that add/modify alternatives. Note: The AP and Committee will be able to review these again at their March meeting, and the full Council will have the opportunity to make adjustments at its meeting in April.
- Please note that time between meetings is limited, with approximately three weeks to make updates to the documents between the February and March meetings. The Council mailing is one week (Friday April 3) after the March Committee meeting.

Status of type-approved VMS units

Recent Activity: In a letter dated December 19, 2019, McMurdo, Inc. notified vessel owners utilizing their Omnitrac VMS system stating that the unit would not be supported by its satellite provider after March 31, 2020. The unit will stop working on that day. This VMS unit must be replaced by April 1, 2020 or vessels risk being out of compliance with VMS regulations in the scallop fishery. The Omnitrac unit will not function with any other satellite provider. McMurdo has developed a replacement product, known as the Omnicom Global VMS unit, which is going through NOAA's Type-Approval process. Other units that are already approved for use in the scallop fishery include Skymate and Woods Hole Group. A complete list of approved units can be found here at [this link](#).

Anticipated Outcomes: No action required. NOAA Fisheries staff based at GARFO (either SFD or VMS group) will provide a brief update on the status of the approved VMS units in the region, and will address questions and comments. Council staff will update the Committee on discussions from the AP meeting.

Implications of Larger Crew Limits in NLS-S-deep (Life Raft Capacity)

Recent Activity: Framework 32 recommended that crew limits for LA vessels be increased by 2 from the maximum crew limit in regulation for access area trips in the NLS-S-deep. This allows Full-Time Limited Access vessels to carry 10 people on these access area trips, and Limited Access vessels participating in the small dredge program to carry 8 people when fishing in NLS-S-deep. During a Scallop PDT call on January 24, 2020, staff from the NEFSC observer program noted that if a vessel is selected to carry an observer on a trip to the NLS-S-deep, it needs to have appropriate life raft capacity for all persons on the vessel in order to sail. Council staff will provide an overview of AP discussions.

Anticipated Outcomes: No action required.

2019 Fishery Performance and Outlook for 2020

Recent Activity: Framework 32 recommended allocations to the two areas that are scheduled to remain access areas in FY 2020: Closed Area I and the Mid-Atlantic Access Area. The AP may wish to provide input on how fishing in these areas has been during the 2019 season.

As part of the annual allocation cycle, the Council has surveyed and tracked harvest in the Nantucket Lightship West area. The 2019 surveys of this area, which occurred in June and July, suggested a decline of ~50 million pounds of scallops in this area compared to what had been projected using 2018 survey data. Preliminary data from FY 2019 shows that landings from this area have declined in recent months, and correspondence to the Council suggests that the LPUE has declined dramatically since the area opened in 2018. As of February 12, 2020, approximately 15.4 million pounds had been harvested by the LA component from the NLS-West access area in FY2019. This includes roughly 1.6 million pounds 2018 allocation that was available during the first two months of the 2019 fishing year. Therefore, Council staff estimate that there is approximately 4.2 million pounds of allocation remaining of the 18 million pound (3 trips) FY 2019 allocation.

Anticipated Outcomes:

- The Committee may wish to discuss input from the AP on this topic. If the Committee wishes to address this topic later in the year, a motion or consensus statement may be appropriate.

Historic Shipwreck Avoidance on Stellwagen Bank
(Scheduled for AP meeting)

Update: Under other business at the AP meeting, Stellwagen Bank National Marine Sanctuary staff will discuss their efforts working with GARFO and the LA and LAGC components operating in the NGOM to mitigate the impacts of scallop dredging on historic shipwrecks, a resource NOAA is responsible for protecting under the National Historic Preservation Act. The Sanctuary and GARFO will implement similar voluntary avoidance mitigation of scallop dredge impacts on historic shipwrecks on southern Stellwagen Bank during the upcoming scallop season.

Anticipated Outcomes: No action required.

Other Business

Anticipated Outcomes: Additional items and issues may be taken up under other business.

Please review all documents before the meeting.

If you have any questions about these enclosures, please contact Jonathon Peros (978-465-0492 ext. 117).