

Scallop AP and Committee Meetings

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**January 17 & 18, 2019
Scallop AP and Committee
Boston, MA**



New England
Fishery Management Council

Today's Meeting:

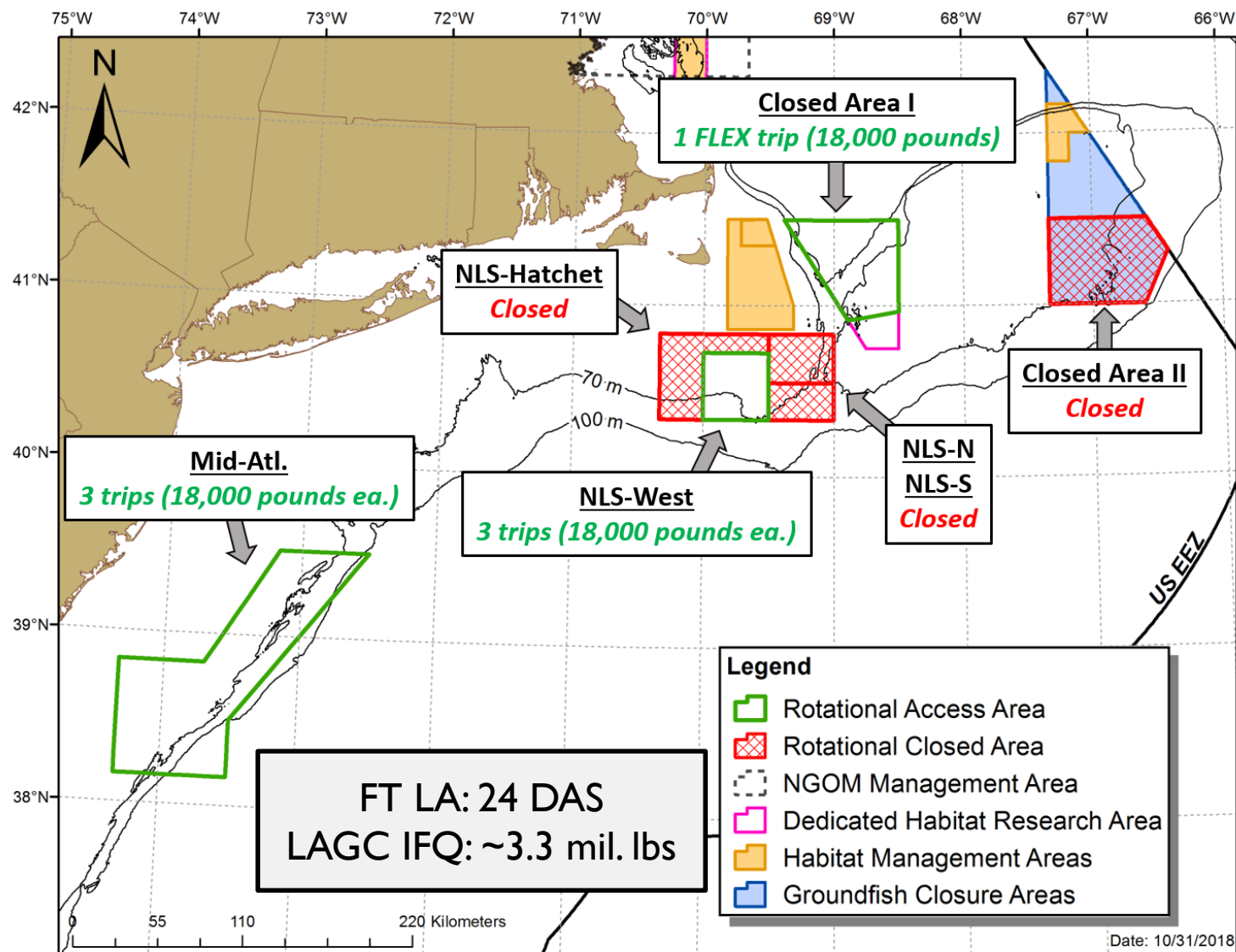
- **Goals/Objectives:**

- Provide input on scoping document for Amendment 21
- Develop goals/objectives and/or problem statement to guide work on mitigating impacts on yellowtail flounder
- Provide input on Council's 5 year research priorities
- Direct work on other 2019 priorities

Meeting Outlook:

- Scallop Report at Council meeting will be Tue., Jan.29 at 2:30 pm
- Anticipate Amendment 21 scoping meetings late Feb. – early April
- No March AP/CTE meetings → No report at April Council meeting

Update on Framework 30:



Update on Framework 30:

- **Goal: Framework 30 measures are implemented by April 1, 2019.**

Outlook:

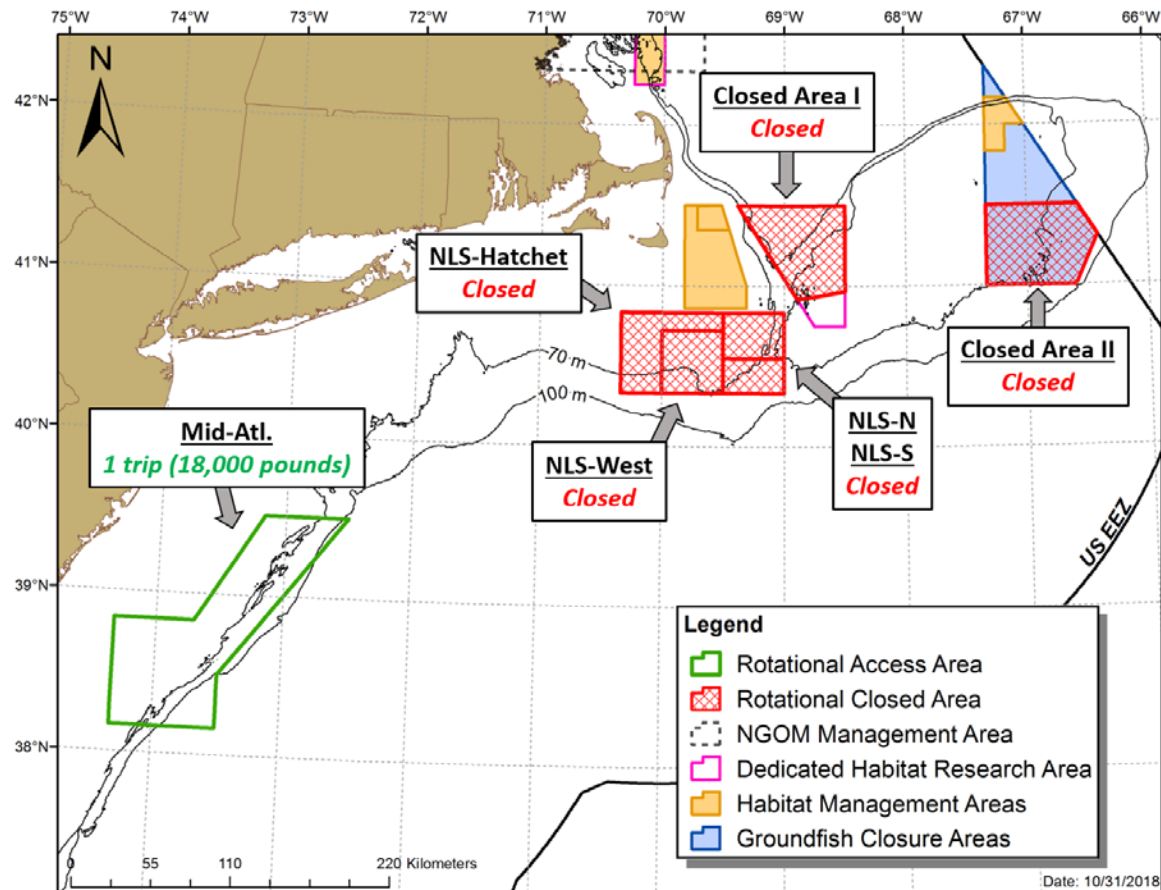
- “Decision Draft” submission of FW30 on December 19, 2019 began rule making process.
- Council reviewing regulation changes (deeming process)
 - No progress until GARFO re-opens.
- Council staff are drafting FW30 preliminary submission
- Continued government shutdown could delay the implementation on FW30.

Key Points of Implementation:

	FW 29 – NGOM	Framework 29 – post OHA2	Framework 30
Final Action	December 7, 2017	December 7, 2017	December 5, 2018
Decision Draft	December 23, 2017	December 23, 2017	December 17, 2018
Regs for Deeming from GARFO	December 28, 2017 GOV. SHUTDOWN (Jan. 20, 3 days)	February 5, 2018	December 20, 2018 GOV. SHUTDOWN Began Dec. 22
Pre-submission	January 25, 2018	January 25, 2018	
Proposed Rule	February 20, 2018	March 15, 2018	
Final submission	March 14, 2018	March 14, 2018	
Final Rule	March 26, 2018	April 19, 2018	
Implementation	April 1, 2018	April 19, 2018	

What if Framework 30 is delayed?

- **Framework 29 Default Measures – On April 1, 2019:**
 - **FT LA:** 18 DAS and 1 MAAA trip at 18,000 lbs
 - **LAGC IFQ:** 75% of 2018 quota, trips in MAAA
 - **NGOM:** LAGC TAC 102,500 lbs (replaced by 137,500 lbs)



2019 Scallop Priorities

- Full list of Council work items is here:
 - https://s3.amazonaws.com/nefmc.org/190102_2019_Final_Priorities.pdf
- Several ongoing work items (Regulatory Requirements).
- Anticipate working on an amendment to the FMP to address NGOM scallop management and LAGC IFQ possession limits.
- Develop approaches to other priorities in first part of 2019.

Regulatory Requirements	Other 2019 Work Priorities
<ul style="list-style-type: none">• Specifications for FY2020 and FY2021 (default)• Support annual Scallop RSA process• Estimate flatfish bycatch (ongoing)• Specify allocation review triggers	<ul style="list-style-type: none">• NGOM Scallop Management & LAGC IFQ trip limits• Evaluate rotational management program• Action to mitigate impacts on YT flounder

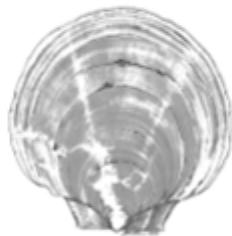
DRAFT: 2019 Priorities and Vehicles

Each column represents a way to address the priority

Specs Package	Framework	Other	Amendment
<div>Specifications (likely FW)</div>	<div>Mitigate impacts on YTF (FW, ?)</div>	<div>RSA Support</div> <div>Tracking flatfish catch</div> <div>Evaluate Rotational Management</div> <div>Allocation Review Triggers</div>	<div>Amendment 21: NGOM Management Measures, LAGC IFQ Trip Limits</div> <div>Long term?</div>

Amendment 21:

**SCOPING DOCUMENT
for
Amendment 21
to the
Atlantic Sea Scallop
Fishery Management Plan**



**(Northern Gulf of Maine and Limited
Access General Category Amendment)**

Prepared by the
New England Fishery Management Council

- *Objective:* Develop measures to address:
 - NGOM Management
 - LAGC IFQ possession limits
- Seeking input from AP & CTE on the range of issues that are considered before asking the Council to approve the scoping document at the January meeting.



Amendment 2I Scoping Document: Plan for AP and Committee Review

- **AP and Committee:** Staff will present text from key sections of the scoping document.
- The scoping document outlines the range of issues that the Council is proposing to address.
- This meeting is your opportunity to suggest modifications before the document is finalized by the Council.
- Proposed changes will be incorporated into an updated version for the full Council meeting in January.



Northern Gulf of Maine - Why is the Council proposing to take Action:

Doc. 4, page number “1”

- “The Council is planning to develop measures that will support a growing directed scallop fishery in federal waters in the NGOM.
- To do so, the action will consider measures that would prevent unrestrained removals from the NGOM management area and allow for orderly access to the scallop resource in this area by the LAGC and LA components.
- This includes establishing mechanisms to set allowable catches and accurately monitor catch and bycatch.”



Northern Gulf of Maine –

What Action is the Council Considering:

Doc. 4, page number “9”

- Amendment 21 could include a range of alternatives focusing on the Northern Gulf of Maine management area. These changes may include but are not limited to:
 - Developing set-asides to support research and fishery monitoring in the NGOM management area,
 - An allocation split between the Limited Access and Limited Access General Category components for the NGOM management unit,
 - Effort controls, consistent gear restrictions, or possession limits.
 - Alternatives that would spread the availability of the total allowable catch in this area across the full fishing year (e.g. trimesters),
 - change the opening date of the fishery,
 - allocate portions of the allowable catch across sub-regions of the NGOM,
 - The development of an at-sea monitoring program that could include human observers and/or using cameras to monitor fishing activity, which is usually referred to as Electronic Monitoring, or EM.

Northern Gulf of Maine

What should my comments address:

Doc. 4, page number “10”

- “What alternatives should the Council consider in Amendment 21 to change how the Limited Access and Limited Access General Category components operate in the federal scallop fishery in the Northern Gulf of Maine management area? Should the Council consider different approaches to managing this areas at different levels of scallop biomass? What do you perceive the impacts of these changes would be?
- What specific issues are most important when evaluating the tradeoffs of developing additional measures in the Northern Gulf of Maine Management Area?
- Should the Council consider establishing a separate research set-asides from the NGOM TAC to support research and monitoring in the management area?”

LAGC IFQ Possession Limits- Why is the Council proposing to take Action:

Doc. 4, page number “1”

- “The Council is planning to develop measures that will increase the LAGC IFQ possession limit as a way to improve overall economic performance of the LAGC IFQ component.
- The Council is taking action to ensure that the LAGC IFQ component remains profitable, and that there is continued participation in the General Category fishery at varying levels.
- To do so, the action will consider approaches that aim to reduce the impacts of decreases in ex-vessel price and increases to fixed costs (e.g. maintenance and repairs) and variable costs (e.g. trip expenses including fuel, food, oil, ice, and water), on vessels and crews.”



LAGC IFQ Possession Limits–

What Action is the Council Considering:

Doc. 4, page number “9”

- “The Council may also consider changes to LAGC IFQ possession limits.
- This may include changes to trip limits in open area and access areas, or aggregate landings limits (e.g. weekly limit).
- The Council may also consider accompanying measures that aim to achieve its vision for the LAGC component.”

LAGC IFQ Possession Limits–

What should my comments address:

Doc. 4, page number “10”

- “If the Council modifies the LAGC IFQ trip limit, what should it change to? Should the trip limit be the same for open area and access area trips? Are there other approaches that the Council should consider, such as a weekly landings limit?
- What specific issues are most important when evaluating the tradeoffs of increasing the LAGC IFQ trip limit from 600 pounds?”

LAGC IFQ Possession Limits (cont.) –

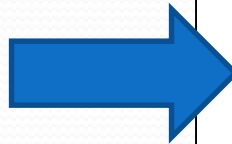
What should my comments address:

Doc. 4, page number “11”

- “Preliminary analysis suggests that increasing the trip limit could lead to greater lease prices. How might higher lease prices impact the LAGC IFQ fishery?”
- The proposed expansion of the dredge exemption areas and higher trip limits may lead to fishing further offshore by LAGC IFQ vessels, and longer trips dock to dock. Should the Council consider increasing the amount the amount of compensation pounds that LAGC IFQ vessels can receive to offset the cost of multi-day trips that carry an observer?”

Amendment 21 scoping

- Planning scoping meetings from Virginia to Maine
 - See Doc. 4, page 2
- Timing: February – April
- Staff to present a summary of scoping comment to the Council in June.
- **AP/CTE:** Any input on timing or locations?
 - Need to update for the Council meeting.



DRAFT Schedule of Atlantic Sea Scallop Amendment 21 Scoping Meetings

The Council is scheduling scoping meetings, including one webinar, for this amendment (see below). **THIS LIST IS SUBJECT TO CHANGE. FOR DISCUSSION PURPOSES ONLY.**

<u>Date and Time</u>	<u>Location</u>
Rockport, ME Thursday, February 28, 2019	Maine Fishermen's Forum Samoset Resort Hotel 220 Warrenton Street Rockport, ME 04856 (207) 594-2511
TBD, March, 2019	New Hampshire (TBD)
TBD, March, 2019	Virginia Beach or Seaford, VA
Monday, March 18, 2019	Cape May, NJ
Monday, March 18, 2019	Mannahawkin, NJ
Tuesday, March 19, 2019	Riverhead, NY
Tuesday, March 19, 2019	Narragansett, RI
Wednesday, March 20, 2019	New Bedford, MA Waypoint Event Center
Wednesday, March 20, 2019	Hyannis or Harwich, MA (lower Cape)
TBD, March, 2019	WEBINAR
Wednesday, April 3, 2019	Gloucester, MA MA DMF – Annisquam? Maritime Gloucester?

Amendment 21: **Draft** Timeline

2019

- January: *Approve Scoping Document*
- June: Review scoping comments; develop goals/objectives
- Sept or Dec 2019: Approve Range of Alternatives

2020

- January - March: Writing A21 *and* FW31/specs impacts
- April: Approve document for hearings, select preferred alts.

Key Issue: Will there be significant effects? (NEPA)

- *Process could go faster if only an EA is required.*
- *EIS process: target implementation no later than April 2021.*



Mitigate Impacts on Yellowtail Flounder

- See documents 3 and 3a.
- Identified as a 2019 work item in December.
- **AP/CTE:** What does the Council hope to achieve through a scallop action to mitigate impacts on yellowtail flounder?








Stock	FY 2018 Sub-ACL	FY 2019 Sub-ACL	% Change
GB Yellowtail Flounder	33 mt	17 mt	-48%
SNE/MA Yellowtail Flounder	5 mt	15 mt	+200%
GOM/GB Windowpane	18 mt	18 mt	No Change
SNE/MA Windowpane Flounder	158 mt	158 mt	No Change

GB Yellowtail TAC Setting Process

- *Potential Goals and Objectives:*
 - **Rebuild** Georges Bank yellowtail flounder?
 - The stock is in a rebuilding plan – Rebuild by 2032
 - **Reduce potential impacts on the groundfish fishery** from scallop bycatch?
 - Further **reduce scallop fishery discards** of GBYT?
 - **Maintain scallop discards** of GBYT at recent levels?
 - Reduce impacts on/catch of **animals in spawning condition**?
 - **Evaluate fishery performance** relative to sub-ACL (exceeding sub-ACL? Negotiated TAC? Transferring fish back to groundfish? Increase scallop sub-ACL from 16%?)
 - **Mitigate impacts on the scallop fishery** from a low sub-ACL of Georges Bank yellowtail flounder?

Recent GB Yellowtail Allocations

Doc.3a, page 4, Table 4

FY	 Total Shared TAC	 US % Share	 US TAC (mt)	 % US TAC Caught	 Scallop sub-ACL	 Scallop catch	 % Scallop ACL Caught
FY2010	1,500	64%	1,200	68%	146	17.6	12.1%
FY2011	2,650	55%	1,458	76%	200.8	83.9	41.8%
FY2012	1,150	49%	564	68%	156.9	164.0	104.5%
FY2013	500	43%	215	43%	41.5	37.5	90.4%
FY2014*	400	82%	328	37%	50.9	59.0	115.9%
FY2015*	354	70%	248	28%	38	29.7	78.1%
FY2016*	354	76%	269	12%	42	2.1	5.0%
FY2017*	300	69%	207	44%	32	52.6	164.3%
FY2018*	300	71%	213	n/a	33	**	40.4%**
FY2019*	140	76%	106	n/a	~17	n/a	n/a
<p>* retention of GB yellowtail prohibited for scallop fishery</p> <p>**2018 in-season estimate based on rolling 12 month d/K, 11/27/19 correspondence with GARFO staff.</p>							

What is the Council already doing to mitigate impacts?

Past and present measures aimed to reduce impacts on Georges Bank Yellowtail Flounder:

- **Prohibit landings** of yellowtail flounder by the scallop fishery
- **Bycatch cap** and **in-season closure** of Closed Area II (past)
 - Economic impact on the scallop fishery.
- **Seasonal Closure** of Closed Area II:
 - Past: Feb. 1 – June 15
 - Present: August 15 – November 15
- **Gear modifications:**
 - Increase the twine top
 - Set a maximum number rows in apron/hanging ratio
- **Bycatch Avoidance system** run by SMAST (past)
- **Restrict RSA compensation fishing** in Closed Area II
- **Accountability measures** for Georges Bank Yellowtail:
 - Past: Time area closure (past - never triggered)
 - Present: Gear modification (FW29, 2018)

PDT Discussion

- **US catches (all sources) have been well below GBYT TAC.** When scallop sub-ACL is exceeded, overall removals are below the negotiated TAC. (Doc.3a, p.4, Table 4)
- **Question:** Is the GBYT bycatch in the scallop fishery a biological problem?
 - Relative to the TACs being set by SSC/Negotiated with Canada – No. Catches are at or near all time lows, and the catch does not exceed the overall TAC.
 - If all F and M are detrimental to the stock rebuilding, then collective US/Canada catch is impacting recovery.
 - SSC has indicated that removals are not the primary factor of this stock not meeting rebuilding targets.
- Baselines for this stock have shifted over the last 10 years.
 - It appears that stock productivity has changed, scallop fishery share (16%) was determined under different conditions.

PDT Discussion (cont.)

- **Additional considerations:**

- How should the Council be evaluating progress toward mitigating impacts o GBYT? Are there indicators that would suggest management changes are helping?
- The scallop PDT noted that the SSC has debated the impact of F vs. M on this stock.
- The SSC has also suggested that environmental change may be impacting GBYT.
- Recommending the TAC for this stock has become increasingly challenging for the SSC and Council.
- Timing of YT transfer to GF → The start of the scallop FY has changed to April 1.

Scallop Data on Yellowtail Flounder

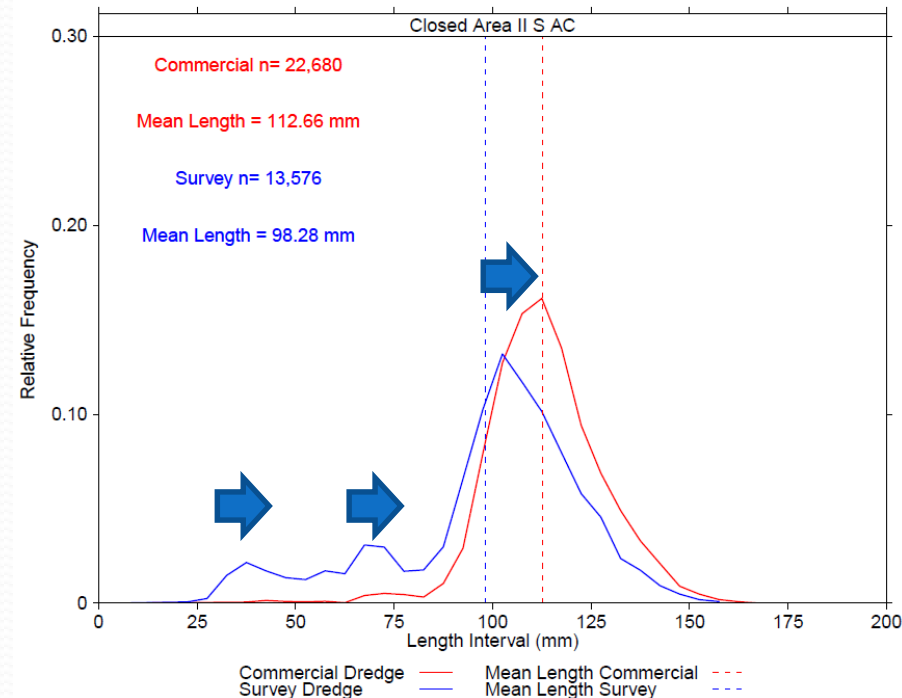
- Is there data from scallop fishery that could help the TRAC/SSC/Council as they consider the status and condition of GBYT?
 - The scallop fishery collects fishery dependent and fishery independent data in the US/Canada area.
 - *Staff*: Council could recommend amount of observer coverage for Closed Area II Access Area trips (target coverage was 15% in 2017)
 - PDT: Additional data sources would be useful – if only as sensitivities and comparisons.
 - EX: Last year, the SSC recommended dropping the spring trawl survey because of low catch → CFF seasonal bycatch survey, VIMS dredge survey timeseries in CAII (*TRAC working paper in 2018*)

GB Yellowtail TAC Setting Process

- **Groundfish FMP, shared TAC is annually set with Canada**
 - **July - Transboundary Resource Assessment Committee**
 - Staffed by US and Canadian scientists
 - No stock assessment model, empirical approach is used
 - **August – Council’s SSC recommends a TAC**
 - Scallop PDT typically provides a memo to Groundfish PDT
 - **September – Transboundary Management Guidance Committee (TMGC)**
 - Negotiation between the US and Canada over catch limits for three stocks on eastern Georges Bank (yellowtail, cod, haddock)
 - **Fall, after TMGC** – Groundfish Committee reviews the TAC
 - **December** – TAC approved in Groundfish Action (FW)
 - **AP/CTE:** It would be helpful to recommend a timetable for reporting back on progress.

Closed Area II outlook

- Anticipate that Closed Area II can support access area fishing in FY 2020.
- 3 cohorts in the area, growth since 2018 surveys.
 - *PDT Sensitivity*: ~5 million pounds of scallop harvest was estimated to result in 10.4 mt (~22,900 lbs) of YT bycatch
 - PDT does not think that the scallop fishery will catch entire US share of the TAC



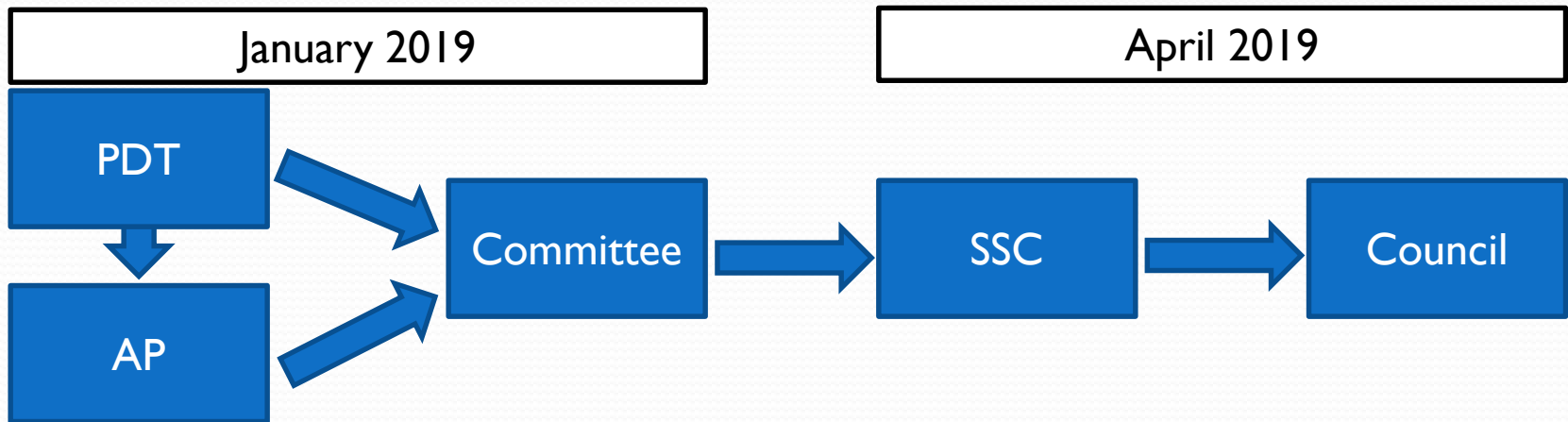
Council 2019 – 2023 Research Priorities

- **THIS IS NOT THE SCALLOP RSA RESEARCH SETTING PROCESS.** That process begins in May.
- Per the Magnuson Stevens Reauthorization Act of 2006, Councils are required to develop five-year research priority plans and submit them to the Secretary of Commerce.
 - Council was updating this list once every 5 years.
 - Now updating annually.
- NEFMC is in the process of implementing a research priority setting process on an annual basis.
- The priority list can also be used by Center, GARFO, and other organizations/institutions to direct research.



Council 2019 – 2023 Research Priorities

- **Council is expected to update “5-year” research priorities at their April 2019 meeting.**
- What is the process going forward?
 - Expect the Council to annually approve research, allowing the list to evolve as issues are identified and addressed.



Council 2019 – 2023 Research Priorities

- Scallop PDT made several recommendations to update the current list: (see Doc. #5)
 - #12: change “incidental mortality” to “discard mortality”
 - Rationale: Recent benchmark and RSA projects have examined incidental mortality thoroughly.
 - #32: Remove.
 - Rationale: NMFS recently published a proposed rule that would expand the dredge exemption areas, allowing LAGC vessels to fish further offshore.
 - Several Changes to habitat related items were suggested.
 - Rationale: Some priorities are very similar, and list could be streamlined/refined through this update.
 - 77, 78, 79, 81 → one priority on gear impacts on habitat.
 - 76, 80 → on priority on impacts relative to habitat management areas.



Evaluation of Rotational Management

- *Focus:* Review of AIO criteria used to structure area rotation.
 - PDT discussed topic Jan. 9, 2019 conference call. (Doc.3, p.5)
- **AP/CTE:** Looking for direction on this work item.
 - Are there particular issues should the PDT to examine first?
 - Consider a timeline for progress in 2019 (when does the AP/Committee want to hear back on this issue?)



PDT Input:

- Opportunity for a new spatial management regime since partial approval of OHA2.
- Rotational management has become less dynamic over time → working from a set of legacy areas or former habitat areas.
- Council has used rotational management to stabilize landings, reduce fishing pressure in open areas following poor recruitment (not always to optimize yield)
- RSA program could support this work item.



Evaluation of Rotational Management

- **Potential Questions** to ask to address the evaluation of rotational management:
 - *Why has the PDT and Council deviated from the AIO criteria in the past?*
 - *What has changed in the fishery since AIO? (amount of data, kinds of data, policy objectives)?*
 - *Has rotational management performed as expected?*
 - *Where is the scallop biomass relative to existing management areas?*
 - *Are the current closed areas the best way to manage scallops on GB?*



FW 3 I/Specifications

- Action to....
 - Develop and implement 2020/2021 scallop specifications
 - Could contain measures to mitigate impacts on YTF
- Timeline:
 - Initiate in **June** → Final action in December
 - Implement new allocations by **April 1, 2020**
 - **July – December** analyzing data and developing alternatives



FW 3 I or Specifications

- Action to facilitate harvest of small slow-growing scallops in the NLS-S-deep was NOT prioritized by the Council.
 - Could address through a specifications action or a Framework if there is enough lead time built in to work on this issue.
 - Public comment on PDT call: an industry group is looking into a EFP to facilitate access to this area. No NMFS staff on the call.



High Density in Nantucket Lightship South. Photo Credit: SMAST



Research Set-Aside Program

- Update on RSA program review at the January Council meeting.
- 2019/2020 awards could be delayed because of the government shutdown.
- We hope to have another RSA Share Day in 2019.
- Council is expected to set the 2020/2021 priorities at the June meeting.



Scallop from the high density area in Nantucket Lightship South in July. Photo Credit: VIMS



END

