



**NEFMC Inshore Scallop Fishing Workshop
February 22-23, 2016**

**DRAFT
Summary of Themes and Main Ideas Discussed**

Workshop Details:

The New England Fishery Management Council (Council) hosted a workshop to provide an opportunity for participants in the scallop fishery to discuss concerns raised about the consequences of inshore scallop fishing pressure. The Council enlisted the Fisheries Leadership & Sustainability Forum (Fisheries Forum) to facilitate workshop discussions and a Steering Committee of several Council members, Scallop Advisory Panel members, and staff was formed to make recommendations about meeting logistics and workshop details.

The workshop supported constructive and open dialogue between all users of the resource, scientific experts, fishery managers, and interested members of the public.

Specifically, the workshop supported the following objectives:

- Share concerns and perspectives related to inshore fishing pressure and resulting impacts on the resource and the different segments of the fishery;
- Understand, define and frame the issue(s); including scope, scale, consequences, and influencing factors;
- Generate and discuss ideas that may alleviate the concerns and issue(s) identified;
- Understand each fleet's operational realities, incentives and expectations, and consider how each fleet's vision for the fishery aligns; and
- Foster collaboration and communication among user groups, scientists, fishery managers, and the general public.

Attendance:

Registration was required and about 120 individuals registered to attend the workshop through a site on the Council website ([Inshore Scallop Fishing Workshop page](#)). A handful of individuals showed up at the meeting who had not registered in advance, and about 35 people who preregistered did not ultimately attend. Therefore, there were about 90 participants at the workshop.

About 30% of participants that preregistered were from the limited access fishery and about 25% from the general category fishery. About 10% had both LA and LAGC permits, about 25% were either Plan Development Team or Council members. Finally, the remaining 10% were general public members from academia, etc. About 55% of the preregistered individuals were from the state of Massachusetts, another 15-20% from other states in New England, and the remaining 25-

30% were from the Mid-Atlantic (New York – North Carolina). Overall the participation was generally mixed made up primarily of scallop industry members, with the largest number of registrations from individuals from Massachusetts with limited access interests.

Agenda:

The workshop was about 1.5 days in length and included a handful of presentations that provided background on scallop fishery management, fishery trends for both fleets, and experience from other fisheries and regions that have faced similar concerns about inshore fishing pressure. The three break out discussions focused on:

- 1) general fishery goals and expectations;
- 2) identifying the issues and concerns that have been raised about inshore scallop fishing pressure; and
- 3) discussing any ideas or opportunities to address concerns about access and productivity of inshore scallops.

The participants were divided into four break-out groups on Day 1 and two larger break-out groups on Day 2. The major themes that came from the conversations are described below, which include general discussion points that were shared across all breakout groups. More detailed comments from each break out group are summarized in the attachment.

Overarching Themes:

- Everyone wants to see a fishery that is successful for all involved.
- Lots of commonalities in goals and expectations from the fishery (fundamentally more similar than different). All segments of the fishery feel that the fishery could be improved; however, there was not general agreement on the problem that is trying to be addressed.
- Both segments want what they consider to be “fair and equitable” – but each group defines this differently.
- There was value in convening a workshop with both segments of the fishery together; speakers expressed a desire/need to work together.
- When available biomass is reduced, both segments feel the pinch (dips in catch and efficiency impact all fishery participants and illuminate/exacerbate issues).
- Improving management of open areas (more science, fostering optimal productivity, responding to a dynamic resource, etc.) is seen as beneficial to both segments.
- There is a sense of frustration:
 - LAGC fishermen feel that their concerns aren’t being acknowledged and that they are at a disadvantage;
 - LA fishermen feel like there is not a clear problem and don’t want to see something being taken away from one fleet and given to the other.
- What does “inshore” mean? Lack of clarity about meaning of terminology.
- The characteristics, needs and constraints of the LAGC segment vary geographically and have changed over time. Not everyone sees this change (and relationship to original vision) in the same way – some want to see the historical character maintained; some want to see the fleet adapt.

- The way the LAGC fishery is allocated, annual quota per vessel based on biomass from all areas, it has the potential for a mismatch of fishing pressure in localized areas since the allocations are not spatially based.
- The potential for highgrading in both fisheries, and the impact of that behavior on overall mortality was a background concern expressed.
- Fisheries management needs to balance objectives; measures should not only be implemented to socially engineer a fishery.
- Reconcile problems with appropriate tools
 - If concerns stem from business planning challenges, a management response may not be appropriate.
 - A widespread solution may not be appropriate for a geographically isolated/defined problem (targeted solutions to targeted problems)

Final Take-homes:

During the workshop four different pathways were identified for potentially addressing concerns about inshore scallop access and productivity.

1. **Directly address concerns:** consider different approaches for managing access to inshore scallops.
2. **Acknowledge concerns:** recognize that there will be ups and downs in recruitment, but do not respond.
3. **Indirectly address concerns:** “across the board” focus on improvements in recruitment, efficiency, and LPUE.
4. **Bigger picture:** other ways of supporting the goals and expectations raised by general category fishermen and identifying ways to maintain the success of the fishery overall.

The group discussed these general categories, but did not reach consensus in terms of a preferred pathway for the Council to take related to addressing this issue. Specific ideas were discussed for each potential pathway in the various breakout groups, but again no consensus was reached on what the best next step would be. Even though the group had different ideas about the issues, participants agreed that there is tremendous value in these kinds of meetings, and the group in general is committed to working together to keep this fishery a success for all users. There was recognition that the discussions at the workshop may not resolve the issues, but these conversations are important to have.

For more information and details presented at the workshop please see the Council website: <http://www.nefmc.org/calendar/nefmc-inshore-atlantic-sea-scallop-fishing-workshop> .

Attachment 1

Specific input from break out discussions:

The workshop participants were divided into smaller groups for discussion. The comments below were combined from staff notes from each group. They are not a complete summary of the discussions and some comments may have been missed. The input has not been prioritized in any way, and some comments may have only been mentioned in one, of the discussion groups. These more detailed comments have been provided to give a more detailed picture of the various conversations that were going on simultaneously, but they are not an exhaustive list of all do not reflect every comment made.

1. Goals and Expectations

The LA and LAGC fleets are very different components of the scallop fishery. In the first break out discussion, workshop participants discussed the goals, expectations and incentives that shape how the two fleets operate. This summary of the discussions are separated into two categories: 1) what does success look like in your fishery; and 2) what are the needs and constraints of your business.

What does success look like in your fishery?

- Sustainable, highly productive resource
- Stability and consistency in
 - Productivity and landings
 - Supports markets and high prices
- Fair access and efficiency
 - Important but defined differently
 - Participants did not think one segment should get special exemptions
- Flexibility and opportunity – management needs to balance
- Proactive management – long-term fishery
- Representative and transparent management process
 - Active industry involvement
 - Representation on the Council
- Science inputs
 - Important aspect (RSA) – management works best when informed by recent data. RSA works well because it is collaborative with industry, therefore trusted.
 - Value in investing more in biomass surveys of open areas, including inshore open areas
- Acknowledgement that this is a successful fishery, support for area rotation and hybrid system used for the limited access fishery (open area DAS and access areas). System is more successful when more area is open to the fishery
- Fishery should work on increasing the size of scallop landed, larger scallops have higher price and increase catch rates when scallops are larger. But group mentioned concerns about highgrading.
- Management needs to react faster – concerns about late openings and their negative impacts on scallop mortality when more fishing is compressed in the summer. Others

concerned that areas are often closed too long, or are not closed soon enough. The system needs to be more adaptive, but cannot be too complex.

- Gear improvements could be made to keep smaller scallops in the water longer and reduce discard mortality.
- Enforceability was mentioned as well as the importance of accountability and monitoring. VMS provides better area based information for management.
- General support for gear and crew limits – they have both helped to reduce efficiency and protect small scallops.
- An industry working together, management should not split industry apart.
- Ability to identify and recognize potential future threats such as ocean acidification and presence of nematode (parasitic worm).
- Industry needs to be open to new ideas
- Management that supports fishing communities – supports crews, jobs, infrastructure, etc.
- Maintaining ownership active in the fishery.
- Management should not forgo valuable yield.
- Consider ecosystem and predator-prey dynamics
- Ability to plan long term.
- Benefit of hindsight – trial and error of management
- Proactive rather than reactive
- AP is professional and organized
- Council staff
- Abundant resource and stable recruitment
- Ability to identify how new entrants can enter the fishery

What are the needs and constraints of your business?

Both Segments / Similarities

- Profitability and efficiency – depends on scale, investment and different incentives
- Individual investment and risk – both fleets have taken on risks
- Go where the resource is
- Dependent on weather
- More economical to fish close to shore
- Costs – e.g. fuel, insurance, VMS, maintenance
- Nature of investment varies
- Efficiency is a matter of scale
- Both fleets have flexibilities built into the management system – but they are in different forms
- More dynamic management
- Address high grading
- Increase yield and productivity
- Different business models but one management system
- Concerns about issues outside of management impacting fishery – i.e. nematode
- Resource availability inshore is cyclical, not a big vs. small boat thing. When conditions are good it works for both fleets, and when conditions are leaner it does not work as well for all business models

Limited Access

- Desire to maintain access to historic grounds
- High efficiency – maximize DAS – need high LPUE
- “on the clock” nature dictates behavior in open area fishery.
- DAS tied to vessel/permit – no leasing
- Fishing grounds are far from home ports – not all LA vessels are large with high horsepower
- Can fish harder bottom – higher horsepower
- Less diverse – more similar within fleet
- Scale of investment (“All in”), more of a directed fishery overall
- Less flexibility for growth in other fisheries and per platform (no leasing)
- Participate in a single fishery
- Presence of fleet owners – different levels of investment and flexibility

General Category

- Efficiency – also have a desire to optimize access
- State of change/consolidation – fleet has changed/evolved over time
- IFQ investment – ability to purchase and lease
 - Depends on starting point/access to quota
 - Level of investment
 - Diversification
 - Costs of leasing quota – has increased cost of running a GC business
- Geographic differences – rules have evolved differently for vessels that fish west of 72 30. And the needs and business models of LAGC vessels in the MA very different than in GB.
- Proximity, weather, accessibility – range considerations
- Less mobile – size (smaller boats), HP, inshore dependence
- More diversified in general
- Daily nature of the fishery – trip limit. People have very different ideas on whether the trip limit should be adjusted, maybe just access areas.
- Ability to own quota but not necessarily vessel
- GC quota may be fished in localized areas near homeports, not as spread out as LA fishery
- Some year round, some seasonal
- Flexibility of leasing does enable a vessel to lease if fishing is not ideal in homeport region.

2. Framing the Issue

The goal of the second break out discussion was to establish a common understanding of the concerns that have been expressed. This conversation was summarized into three categories: 1) limited access concerns; 2) general category concerns; and 3) shared principles and concerns.

Limited Access concerns

Some participants in the LA fishery feel that:

- The LA and LAGC fleets are two parts of a single federally managed fishery; concerns about preferential treatment. Giving access to the NL to the LAGC fishery only is a signal of preferential treatment, and that is a concern.
- There is concern about “drawing lines,” closures, or exclusions. It was argued that historically the big boats have more history fishing in the inshore areas than small boats, it should not be an option to give those areas up for small boats.
- The IFQ program has changed the incentives for the LAGC fishery, leading to shifting and consolidation of effort in certain nearshore areas. Concern that the GC fishery is becoming something beyond what the Council intended. A small LA fishery is not what Amendment 11 envisioned.
 - Leasing of quota is exacerbating problems in certain nearshore areas
 - Leasing is expensive and has increased the capital cost of running a GC business, and these increased costs may be impacting the bottom line more than reduced catch rates in nearshore areas.
- Both LA and LAGC fleets involve personal investments and risk, and the Council seems to overlook the large investments and risks the LA fishery has made as well; there is more involved than the cost of leasing quota.
- Both fleets value efficiency and profitability, and have incentives to fish near shore. Scale of operations larger for LA fleet with higher capitalization; therefore, need access to inshore areas if they are the most efficient places to fish.
- Concerns that have been raised about inshore access and productivity are not clearly defined – sense of frustration and don’t see a problem
 - Sense that this is a business problem for the LAGC fleet that is trying to be solved with regulations
- Fair representation of perspectives and issues on the Council
- Some concern expressed about how this workshop was framed – LA fishery felt on the defensive from the start.
- If more closures offshore were available to the LA fleet that could help alleviate some of the fishing pressure inshore.
- The current way the allocation structure is set up gives more catch to the LAGC fishery than A11 intended.
- Input that the LAGC fishery has flexibility to lease, so they do not have to fish in an area if they do not want to. The LA fishery does not have that luxury, they can trade trips, but in some years all the access area trips are in one region and not the other.

General Category Concerns

Some participants in the LAGC fishery feel that:

- LAGC vessels have a higher reliance on the “inshore” resource
 - Limits on physical range of vessels
 - Given trip limits, offshore fishing decreases profitability
 - Cost of lower inshore abundance is greater for LAGC
- A few big boats can rapidly deplete an area that can sustain many smaller vessels for a much longer time.
- The IFQ program creates different types of incentives in the fishery. Promotes investment and can increase operational costs.
- Small boat communities and the characteristics and traditions of the small boat fishery are in jeopardy.
 - Safety and historic characteristics of fishery
- There is competition with high capacity of LA vessels for limited inshore resources
- Want to maintain diversity of the fleet
 - Fleets in MA and NE are different
- LAGC concerns are not being heard or acknowledged – sense of frustration that the problem they are facing is not recognized. Analysis is not about to reflect what is a very obvious issue they see on the water.
- LAGC members are outnumbered by LA members on AP, so concerns do not always rise to the next level. LA fishery is very organized and can be difficult for LAGC to “get a fair shake” at meetings.

Shared principles and concerns

- An understanding and desire for everyone in the fishery to do well.
- Improving yield/efficiency in the fishery (LPUE) in open access areas will improve the entire fishery.
- High-grading negatively impacts productivity and resource availability.
- There are different perspectives on what constitutes “Inshore”.
- Sea scallops are a single resource; fishing effort in all areas impacts productivity.
- Getting data into the system and/or developing management measures takes too much time.
- Historic grounds inshore are the same for both fleets; they have both fished in the same areas.
- Effort levels have been too high in open areas.
- Keeping areas closed too long offshore exacerbating the issue; concern with habitat closures.

3. Ideas and Opportunities

During the final break out discussion the participants were asked to consider whether there are opportunities to address concerns about access and productivity of inshore scallop fishing areas. Do these opportunities support the goals and expectations discussed earlier in the workshop? The group was asked to identify the specific measures that could be explored for future actions, as well as measures that should not be explored.

To be clear, there was not consensus on the list of issues that should or should not be explored. In fact, it was emphasized during the workshop that ideas to explore or not explore were not mutually exclusive, and may appear on multiple lists. This conversation was broken into several categories: 1) measures that some participants do not support exploring; 2) measures that some participants do support exploring; and 3) new ideas or additional input on the general problem statements offered for this inshore scallop fishery issue.

Do Not Explore

- Do not divide
 - Manage as a single resource. (*Scallops are a single federally managed fishery; don't treat the two segments of the fishery like separate fisheries*)
 - Do not divide/preferential (*don't give preferential access to a segment of the fishery*)
- Undue emphasis on social objectives - “micromanagement” of fishery result of managers putting measures in place to socially engineer different segments of the fishery.
- No exclusions – a federal permit should give you access to all federal waters (*don't explore options that restrict access to portions of the fleet*)
- Micromanagement (*not exclusive to social/economic objectives, system should not unnecessarily complicate regulations*)
- Options 4.2 – 4.9 of white paper (*speaker challenged the ideas included in the white paper; staff explained that the purpose of the list was to generate discussion and the measures were never actually on the table for development*)
- No action is needed (*this issue does not warrant any council action; the general category fishery has not articulated a viable solution*)
- Don't solve a business problem with management solutions – there are no guarantees (*fishing is a business that doesn't come with any guarantees, fisheries management should not implement measures to solve business model issues*)

Explore

General principles

- Focus on resource management
- Solutions that improve quality of resource for all users
- Targeted problem solving
- Responsiveness of management and science
- Manage nearshore for productivity
- Access into closed areas could alleviate fishing pressure in nearshore areas
- Improving management in open areas would benefit the fishery and relieve some pressure.

Management resolution and resource productivity

- Manage at a finer scale for certain reasons (*the scale of solutions should align with scale of concerns, e.g. if they are geographically specific to a certain area*)
- Improve management of open areas – all (*manage open access areas for higher productivity and efficiency; “all” added to note that this means all open areas, not just those inshore/fished by LAGC fleet*)
- Increase inshore productivity – open bottom (*similar to point above*)
- Access based on science (*decisions should be scientifically founded*)
- Less driven by cycles (*are there ways of managing that would mitigate/smooth out the swings in recruitment? Acknowledgement that this could mean forgone harvest in some years.*)
- Align responsiveness important – OY with a living resource (*several related points by same speaker about aligning the pace and spatial scale of management with a living resource*).

Gear

- Level playing field, gear restrictions (*consider “leveling the playing field” through gear restrictions that make inshore fishing effort equitable for both fleets, e.g. a smaller dredge size inshore*)
- Gear modifications (on Council priorities)
 - Allow larger gear up north for GC fleet (2 dredges) (*This got mixed feedback*)

Improve Productivity

- How to generate more scallops
 - Protect seed piles
 - Grow resource – seeding and relocation
 - Predator control

Science

- Leverage RSA program for nearshore science
 - Separate RSA for GC fleet
- Explore discard mortality and high grading through RSA (*these are getting off topic, but relate to improving the resource for all users*)
- Science questions
 - Could less fishing pressure in open areas have a benefit?
 - Can uncertainty in science be reduced?
- Explore how modern science and technology can help management

LAGC Goals

- Explore change (*How has the GC fleet changed over time and how does that contribute to current concerns?*)
- Revisit the GC fleet vision/mission
 - Explore how to protect the historical small boat fleet
- Focus on the 5-year review and Input opportunities for the 5-year review (give comments to the committee, AP, PDT and Council staff)

Specific ideas for GC

- Different or differential trip limits (*higher trip limits the further offshore you go, or increasing trip limits above 600 lbs. (mixed feedback on this)*)
- Requiring GC fleet to fish in access areas (*making some level of access mandatory to relieve pressure in inshore areas*)

Other ideas to explore

- Option 4.1 of white paper (No Action)
- Access to closed areas, with “fundamental need” and “effectiveness” added (*important to assess effectiveness of closing areas and their impact on fisheries and the area rotation program*).
- Loss of opportunities for diversification (*part of the problem is that there are fewer opportunities to diversify operations due to management and resource status; another factor that leads to increasing investment in scallop fishery*).
- Explore impacts from leasing of LAGC quota.
- Explore opportunities for internal collaboration and a collaborative approach to management and between LA and LAGC.
- Open communication (*hold more meetings and forums to discuss before action takes shape*).
- There may be utility to explore different alternatives for LAGC vessels from NE compared to LAGC vessels from MA – the fisheries are very different.
- Consider a possession limit for all vessels fishing inshore – or some kind of annual maximum.
- Increase access in offshore access areas to reduce fishing pressure in nearshore areas (i.e. habitat closed areas).

New ideas / Additional thoughts

- Needs to be respect for each fleet’s needs.
- Some felt there should be a five year review of the LA fishery as well. Trends have changed in that fishery as well that should be explored.
- This issue is not scientifically justified (*differential or preferential access for the two segments of the fishery is not based in science*).
- Inshore / offshore distinction
 - Why distinction? State/federal? (*These terms are not clear, in practice maybe they refer to state and federal waters?*).
 - Is the term a proxy for permit or range category; emotional terms (*Strong feelings about inshore/offshore. In practice they may refer more to fleet, permit category, or range; i.e. “inshore” is a proxy for LAGC and “offshore” for LA. Also strong concern that these terms have become emotionally charged. A large portion of the group was frustrated that inshore kept being used as a geographic term.*)
- Regional differences in defining problem.
- Business model is a personal choice (*investment in either segment of the fishery and how you run your business is a personal choice with risks and consequences, rather than a management problem*)

- Both fleets have geographical ties, access and ability (*both fleets are tied to a place; this isn't exclusive to LAGC fleet, LA fleet travels because they are able to and need to in order to access the resource.*)
- Know what the problem is for targeted solutions.
- Running a business - \$ (*the fishing business is changing, participants are small business owners. Fisheries may have ups and downs in recruitment that are difficult to accommodate and reconcile with the expectations of running a successful business.*)
- Council should not overlook that plan needs to consider all National standards, it is not just about the bottom line (*the NS do make specific references to fishing communities and social and economic needs, impacts, values*).
- Low abundance is a stressor and impacts businesses differently.
- Fleet diversity – is that still a goal in this fishery?
- More holistic approach across fisheries and regions (*similar to point above about scale of management – looking ahead toward EBFM*).