



New England Fishery Management Council

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Scallops: Council Advances Framework Adjustment 38 for Fishing Year 2024; Higher VMS Ping Rates Part of the Package

The New England Fishery Management Council has signed off on Framework Adjustment 38 to the Atlantic Sea Scallop Fishery Management Plan. Next, the framework will go to NOAA Fisheries for review and implementation. The target implementation date is April 1, 2024, the start of the new scallop fishing year.

Framework 38 contains specifications and other measures for 2024 and default specifications for 2025. It also includes more frequent reporting through the vessel monitoring system (VMS). A higher 5-minute ping rate will be triggered when a scallop vessel crosses seaward of the VMS demarcation line on a scallop declaration code. Implementation of this measure may be slightly delayed beyond April 1 but is intended for 2024 to improve enforcement (see page 3 for additional details and VMS demarcation line map).

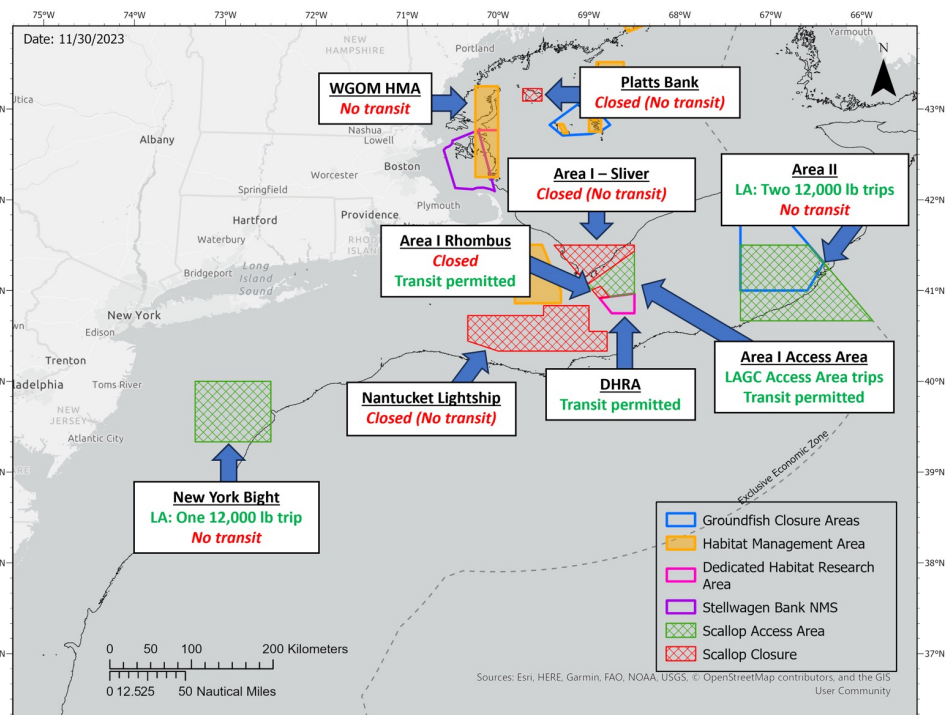
Here are some of the framework's highlights.

FULL-TIME ALLOCATIONS: Full-time limited access scallop vessels will be allocated three 12,000-pound access area trips with two trips into Area II and one into the New York Bight. Full-time vessels also will be allocated 20 open area days-at-sea for fishing year 2024.

PART-TIME ALLOCATIONS: Part-time limited access vessels will be allocated one 14,400-pound trip, which can be fished in either Area II or the New York Bight. These vessels will be allocated eight open area days-at-sea.

LAGC ALLOCATIONS: Limited access general category (LAGC)

Scallop Access Areas and Closed Areas for Fishing Year 2024



KEY: WGOM HMA = Western Gulf of Maine Habitat Management Area | LAGC = Limited Access General Category | LA = Limited Access | DHRA = Dedicated Habitat Research Area



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vessels collectively will be allocated 856 access area trips that can be fished in Area II, the New York Bight, and the central portion of Area I as shown in the map on page 1 in green. Once the 856 trips have been taken, access area fishing by LAGC vessels will end. The Council did not suballocate trips by specific area.

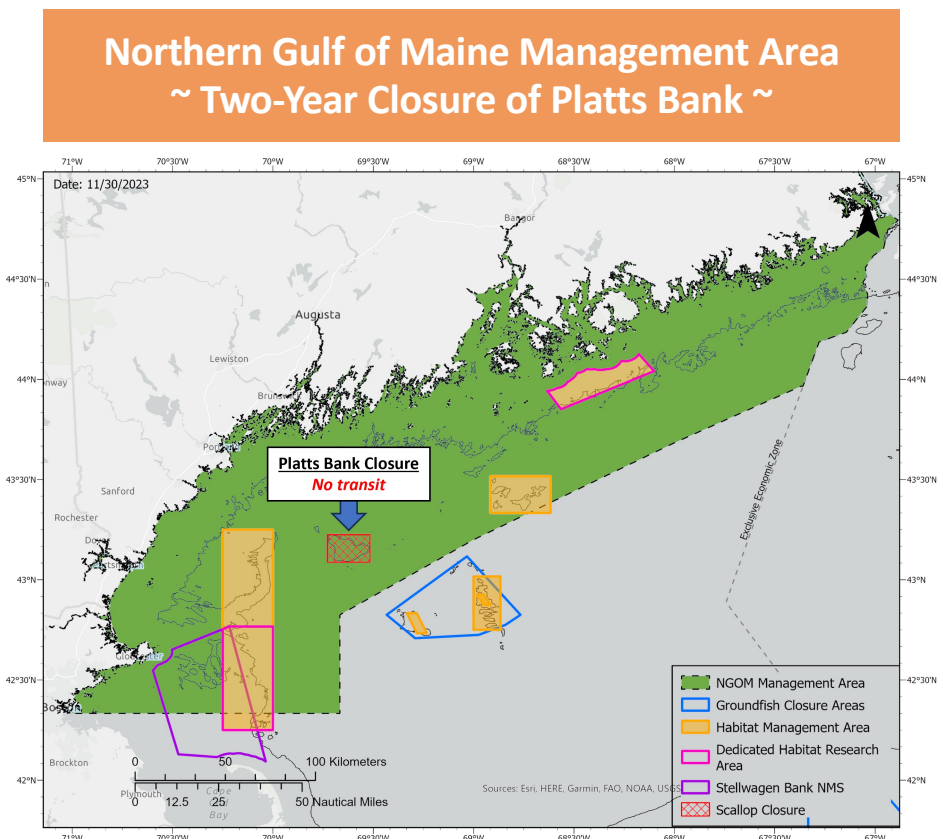
The northern portion of Area I, known as “the sliver,” will be closed in 2024. The Area I-Sliver contains high densities of scallops that are likely to recruit to the 4” rings in scallop dredge gear by the 2025 fishing year. These scallops are being protected in 2024 to grow and gain weight for 2025.

NGOM TAL: Total allowable landings (TAL) for the Northern Gulf of Maine (NGOM) Management Area will be set at 454,152 pounds. The 2024 set-aside for vessels with NGOM permits landing 200 pounds per trip will be 420,598 pounds. The NGOM TAL was calculated using estimates of exploitable biomass from Stellwagen Bank, Ipswich Bay, and Jeffreys Ledge. The overall TAL includes set-asides to support research, monitoring, and a directed LAGC fishery in the Northern Gulf of Maine.

PLATTS BANK CLOSURE: The Council agreed to create a new two-year scallop closure around Platts Bank. The 2023 Northern Gulf of Maine drop camera survey conducted by the UMass Dartmouth School for Marine Science and Technology (SMASST) detected many small scallops on Platts Bank. Directed scallop fishing within the boundaries of the Platts Bank Closure will be prohibited during the 2024 and 2025 fishing years to conserve these small scallops and allow them to grow undisturbed for potential future harvest.

TRANSIT LIMITATIONS: To help enhance enforcement of the fishery, vessels fishing under a scallop declaration will be **prohibited** from transiting: (1) the Platts Bank Closure; (2) the Western Gulf of Maine Closed Area; (3) the Area I Sliver; (4) any portion of the Nantucket Lightship Closure; and (5) the Area II Scallop Access Area and the New York Bight Access Area when not on an allocated access area trip (see map on page 1).

TRANSITING ALLOWED: Three sections of Area I will serve as corridors where continuous transiting **will be allowed**. These include: (1) the LAGC access area portion in the middle of Area I; (2) the Dedicated Habitat Management Area at the





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southern tip of Area I; and (3) a new area called the Area I Rhombus (see map below).

HOW IS CONTINUOUS TRANSITING DEFINED: Continuous transit means a vessel has “fishing gear stowed and travels through an area with a direct heading, consistent with navigational safety, while maintaining expeditious headway throughout the transit without loitering or delay.”

RSA COMPENSATION: The Council agreed to allow compensation fishing under the Scallop Research Set-Aside (RSA) Program to occur in the Area II Access Area. This is in addition to compensation fishing that is currently allowed on open bottom under a limited access day-at-sea and in the Northern Gulf of Maine Management Area. NGOM compensation fishing is capped at 25,000 pounds.

AREA I RHOMBUS: Framework 38 includes a new one-year closure within Area I called the Rhombus. Coonamessett Farm Foundation transplanted small scallops into this area as part of an ongoing RSA scallop enhancement project. The closure is intended to allow the transplanted scallops to continue growing without being disturbed by fishing. Continuous transiting will be allowed through the Rhombus. The map at right shows the Area I Rhombus in red. The green-hatched section will be open to LAGC access area fishing in 2024.

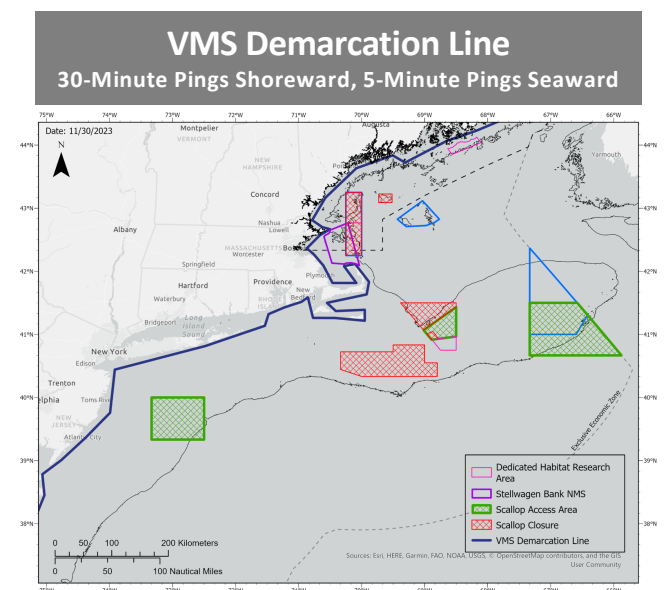
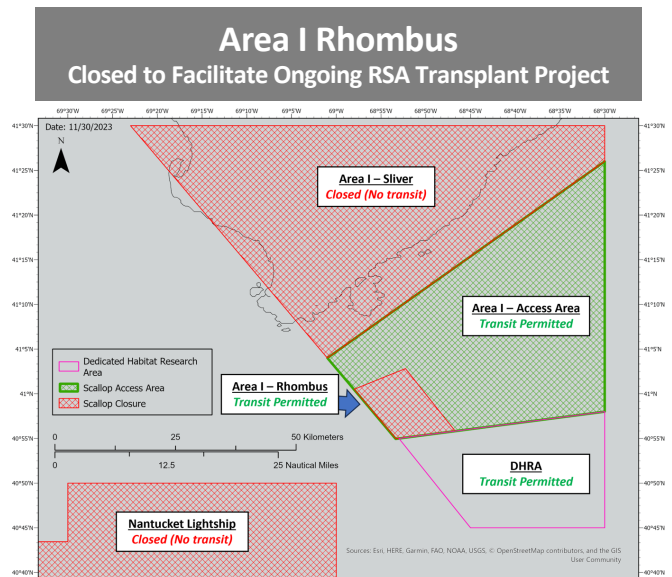
VESSEL MONITORING SYSTEM (VMS) PING RATES: VMS is used in the scallop fishery as an enforcement tool. Vessels with active VMS units currently are monitored every 30 minutes, which is known as the ping rate.

The Council agreed to increase the ping rate seaward of the VMS declaration line for vessels on a trip using the scallop declaration code SES-%. Once this measure is implemented, vessels will be pinged:

- In 30-minute intervals when **shoreward** of the VMS demarcation line; and
- In 5-minute intervals when **seaward** of the VMS demarcation line.

NOT FOR STATE WATERS FISHING: The increased VMS reporting rate is not intended to apply to vessels participating in state-waters scallop fisheries and excludes any SES-% VMS code associated with the scallop state-waters exemption program.

WHY IS THIS HAPPENING: The purpose of the higher





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ping rate is to improve enforcement of both access area boundaries and closed area boundaries by substantially reducing the window in which a vessel can enter a closed area or access area undetected.

Framework 38 states, “VMS is also an important source of fishery effort data for the scallop fishery. Increasing the VMS reporting rate in the scallop fishery will improve data quality by increasing the spatial resolution of the data, which could lead to more effective management and enforcement.”

MORE SCALLOP INFO IN SHORT: Here is some additional scallop-related information that may be of interest.

- **Scientific and Statistical Committee (SSC):** The Council’s SSC met in October and developed overfishing limit and acceptable biological catch recommendations for scallops, which guided the Council’s specification decisions in Framework 38. Here is the [SSC’s scallop report](#) and the [presentation](#) that Council members viewed during the December Council meeting.
- **Annual Projected Landings (APL):** Based on the allocation decisions the Council made in Framework 38, annual projected landings for fishing year 2024 are estimated to total roughly 27.39 million pounds. Once the observer and RSA set-asides are removed from that total and LAGC allocations are factored in, annual projected landings for the limited access component of the fishery are estimated to be roughly 24.186 million pounds.
- **Stock Status, Elephant Trunk:** The scallop resource is not overfished and overfishing is not occurring. Most of the biomass currently is concentrated on Georges Bank. The Mid-Atlantic has experienced below average recruitment of incoming scallops since 2013. Scientists express concern that warmer water temperatures and other environmental changes are contributing to scallop mortality, especially at the southern extent of the range near Virginia/North Carolina. The Elephant Trunk Area will revert to open bottom in 2024.



– VIMS photo

The Nantucket Lightship region will be closed to fishing in 2024. A potentially strong recruitment event was observed in the region during the 2023 survey season, but the scallops, which were less than 40 millimeters in shell height, were too small to be included in survey biomass estimates for 2023. Framework 38 states, “The growth potential for these juveniles is high should they survive over the next several years. Closing the Nantucket Lightship region to scallop fishing is intended to support the growth of this cohort of scallops in the absence of fishing pressure.” The Virginia Institute of Marine Science (VIMS) caught the pile of seed scallops pictured above during a 2023 Scallop Research Set-Aside Program trip in Nantucket Lightship.

NORTHERN EDGE: The Council received a short progress report on its Northern Edge action. Here is the [presentation](#). Also check out the Northern Edge [webpage](#). A discussion of the potential range of alternatives for this action is scheduled for April 2024.

MEETING MATERIALS: All documents related to the Council’s Framework 38 discussion during the [December 5-7, 2023](#) meeting in Newport, Rhode Island are [posted here](#).

QUESTIONS? Contact Jonathon Peros, the Council’s scallop plan coordinator, at jperos@nefmc.org.