



New England Fishery Management Council

FOR IMMEDIATE RELEASE
April 20, 2020

PRESS CONTACT: Janice Plante
(607) 592-4817, jplante@nefmc.org

Scallops: Council Approves Amendment 21 Range of Alternatives; Requests Emergency Action Due to COVID-19

The New England Fishery Management Council covered several important scallop-related issues during its April 14-15, 2020 meeting, which was held by webinar. Current COVID-19 restrictions on travel and public gatherings prevented the Council from meeting in person. Here's a recap of the scallop highlights.

- **Amendment 21:** The Council approved the range of alternatives that will be further analyzed for consideration in Amendment 21 to the Atlantic Sea Scallop Fishery Management Plan. This amendment is being developed to address:

1. Northern Gulf of Maine Management Area issues;
2. The limited access general category (LAGC) individual fishing quota (IFQ) trip limit; and
3. The potential one-way transfer of IFQ from limited access vessels that hold IFQ to LAGC IFQ-only vessels.

The Council will select “preferred” alternatives during its [June meeting](#) and approve the document for public hearing. These hearings likely will occur later this summer or fall. See page 3 for more information on Amendment 21.

- **Emergency Action:** At the request of its Scallop Committee, the Council deliberated requesting emergency action measures in light of the ongoing COVID-19 pandemic.

The Council itself doesn't take emergency action, but it can make recommendations to the National Marine Fisheries Service (NMFS/NOAA Fisheries). Working on behalf of the Secretary of Commerce, NMFS can pursue emergency action if strict [policy guidelines](#) are met. Generally speaking, the situation must involve unforeseen circumstances that present serious ecological, economic, social, or public health consequences to the resource or fishery participants.



The Scallop Research Set-Aside (RSA) Program will support [12 projects](#) for 2020-2021. Above, survey work being conducted on a 2017 RSA trip. Find out more on the Northeast Fisheries Science Center's [website](#). – Virginia Institute of Marine Science photo

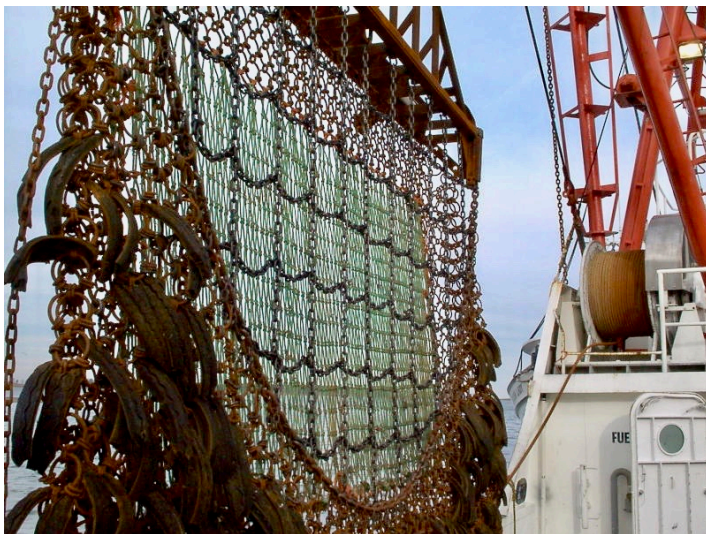


New England Fishery Management Council

The Council agreed that the COVID-19 situation qualified as “unforeseen.” Over the course of its discussion, the Council did weigh the possibility of immediately initiating a framework adjustment to address the pandemic’s impacts on the scallop fishery, but the move did not garner enough support. In the end, the Council voted to request secretarial emergency action to:

- Allow all 2019 access area carryover pounds and unharvested RSA compensation pounds from fishing year (FY) 2019 to be available for harvest for 180 days in FY 2020;
- Maintain the Nantucket Lightship-West Area, which is scheduled to revert to open bottom on May 31, as an access area during FY 2020 for the extent of the emergency action; and
- Allow LAGC IFQ vessels to roll forward all FY 2019 unharvested quota for 180 days into FY 2020.

Although the Council made this request, the final outcome is entirely in the hands of NMFS and the Commerce Department. If NMFS decides to move ahead, the agency will determine the specifics of the emergency measures and the point at which the 180-day clock will begin ticking.



Turtles are known to be present in the Mid-Atlantic from May through November in areas where the scallop fishery operates. Chain mats, commonly called turtle chains (above), have been effective in keeping turtles out of dredge gear.

– Coonamessett Farm Foundation photo

- **Biological Opinion/Turtles:** In February, the Council received a [letter](#) from NMFS’s Greater Atlantic Regional Fisheries Office (GARFO) saying the scallop fishery had exceeded its turtle incidental take limit for the 2015-2016 and 2016-2017 periods as defined in the [2012 Atlantic Sea Scallop Biological Opinion](#). NMFS is required to review the fishery’s operation when the two-year average of dredge hours in the Mid-Atlantic from May-November – the turtle overlap period – exceeds 359,797.

As part of its April webinar meeting, the Council received a presentation on the Biological Opinion and NMFS’s decision to reinstate formal consultation under the Endangered Species Act (ESA).

Turtle takes are rarely observed these days due to the fleet’s use of chain mats and turtle deflector devices, which allow turtles to escape from the gear. That’s why NMFS uses scallop effort, measured in terms of dredge hours, as a proxy. The assumption is that higher effort will result in more turtle encounters. An unusual increase in Mid-Atlantic dredge effort in 2016 triggered the review of the fishery under the ESA.

- NMFS reinitiated consultation on the Atlantic Sea Scallop Biological Opinion on February 14, 2020;
- The agency intends to complete the new Biological Opinion prior to the April 1 start of the 2021 scallop fishing year.
- View GARFO’s presentation to the Council [HERE](#).

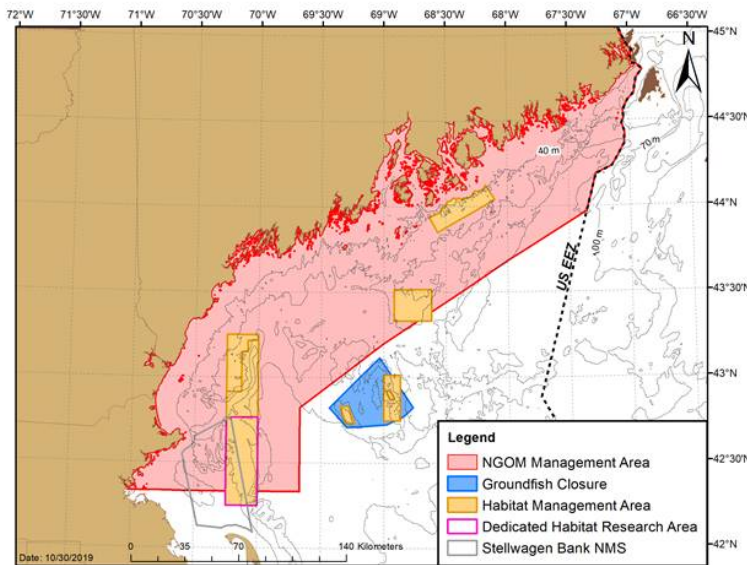


New England Fishery Management Council

Amendment 21 – What's the Vision? What Do the Measures Cover?

Now that the Council has settled on the range of alternatives for Amendment 21, additional analyses can be conducted by the Scallop Plan Development Team. These analyses will help the Council in its decision-making in June when it selects preferred alternatives for public hearing purposes.

The amendment contains **10 actions**, numbered sequentially as follows, that each have various alternatives.



The Northern Gulf of Maine Management Area is colored pink in the map above. – New England Fishery Management Council graphic

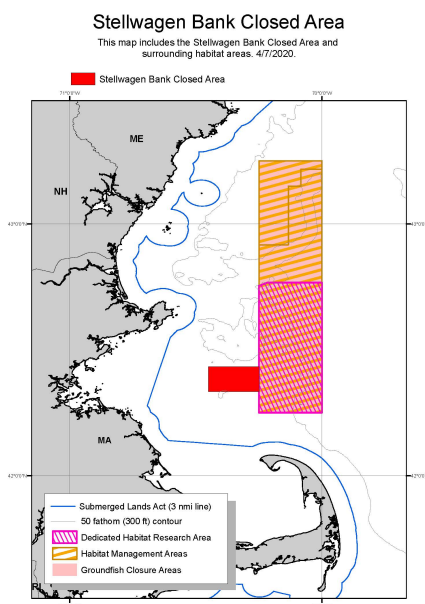
- **Northern Gulf of Maine (NGOM):** Six types of management actions are under consideration for the NGOM Management Area. These cover: (1) catch accounting; (2) allocations; (3) fishery monitoring; (4) research support; (5) the fishing season; and (6) gear requirements.
- **LAGC IFQ Measures:** Three types of actions are under consideration. These cover: (7) IFQ trip limits; (8) observer compensation; and (9) one-way IFQ transfers.
- **General:** (10) This action covers a list of measures that could be addressed in a future specifications package or framework.

Vision Statement

Amendment 21 is reaffirming a vision statement that originally was developed for [Amendment 11](#). It defines the LAGC component of the fishery as:

“a fleet made up of relatively small vessels, with possession limits to maintain the historical character of this fleet and provide opportunities to various participants, including vessels from smaller coastal communities.”

- All documents related to Amendment 21 are available [HERE](#) and scallop-related materials used during the Council’s April meeting can be found [HERE](#).
- Questions on any of the Council’s scallop actions can be directed to Jonathon Peros at (978) 465-0492, ext. 117, jperos@nefmc.org.



Don't Forget!

On April 1, 2020, NMFS implemented [Framework 32](#), which contains measures for the current scallop fishing year. This framework includes a closure to protect small scallops on Stellwagen Bank. Scallop fishing is **prohibited** in the solid red box shown on the map at left.

– NOAA Fisheries graphic