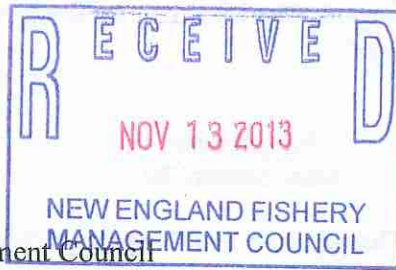


Additional Correspondence

91 FAIRVIEW AVE
PORSTMOUTH NH 03801



**NORTHEAST HOOK
FISHERMAN'S ASSOCIATION**

November 13, 2013

New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

E.F. "Terry" Stockwell, *Chairman* | Thomas A. Nies, *Executive Director*



Dear Groundfish Committee & Council:

We represent a small group of Commercial Fishermen with the Limited Access Handgear HA Permits, employing the use rod and reel, handlines or tub trawls to catch Cod, Haddock and Pollock along with small quantities of other regulated and non-regulated marine fish. Historically and currently our fishermen account for a small percentage of the groundfish landed in New England. However, the monetary gains obtained by the participants in this fishery are very important to us.

The purpose of this letter is to encourage the Council & Committee to continue to work with Handgear fishermen to develop the NEHFA proposal (REVISED & REDUCED) to guarantee there is an active and viable handgear fishery for the future. One of the goals of A18 is to have a diverse fleet and various gear types. **If nothing is done the handgear fishery will become a paper or lease only fishery with no active handgear fishermen.** Some new ideas that the council may wish to explore are as follows:

1. Question? If handgear fishermen have their own sub-ACL component of the common pool for cod, haddock and Pollock, where does all the other fish they occasionally catch (redfish, cusk, flounders, ect) come from?

Answer: We propose that these small quantities of other fish come from FW47, Appendix III that states "Other sub-components: Portion of the U.S. ABC expected to be harvested by unidentified non-groundfish fishery components. These are not attributed to specific components because individual amounts are small."

2. Problem: Those fishermen with HA permits that are not fishing would lose out if they are not able to lease their quota in sectors to other fishermen in the sector who may not be using Handgear.

Answer: **These fishermen should be grandfathered.** The history that may be lost should be replaced by any future permit by-back program and the ACE replaced back into the Handgear Allocation what was lost to these permits moving into sectors but not fishing using handgear.

3. Are there specific ideas in the NHFA proposal that the Committee would like to develop further at this time?

We are asking the Committee to answer **all** to this question with the addition of a small historical allocation of Haddock and possibly Pollock to cover the majority of the species caught. The NEHFA plan was developed over 3 years ago with discussion between many active Handgear fishermen, State fishery representatives and NMFS NERO staff. It is a well thought out plan that keeps the fishery simple and easily managed. This plan may end up being one of the more successful fishery management plans if implemented and it is exactly in line with goals of A18. Doesn't fleet diversity include small Handgear fishermen and their vessels? We would like to work directly with the PDT to resolve any issues in our plan that the PDT has raised if the committee requests.

cc: MB, FA, RF, JC, Council (11/13)

There are very few active Handgear fishermen left. The handgear jig fishery was the first in New England and if nothing is done it will be the first to be eliminated.

Respectfully,
Marc Stettner /s/

NEHFA MEMBERS: Marc Stettner, Hilary Dombrowski, Paul Hoffman, Christopher DiPilato, Ed Snell, Scott Rice, Roger Bryson, Brian McDevitt, Anthony Gross, Doug Amorello

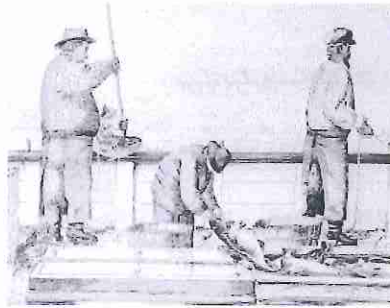
If you are a holder of a groundfish HA permit and wish to join the NEHFA, please contact the NEHFA at the address above.

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

NORTHEAST HOOK FISHERMEN'S ASSOCIATION

AMENDMENT 18

Revision 11/13/2013



Gaffing and cleaning cod on the deck of a handlining schooner off the North American east coast, ca. mid nineteenth century.

"Prior to the introduction of steam trawling in 1906, groundfish were caught exclusively with baited lines, fished from schooners and their dories."

<http://www.nefsc.noaa.gov/history/stories/groundfish/grndfsh1.html#st>

This proposal is fully supported by the Handgear fishermen of the NEHFA:

Marc Stettner, Hilary Dombrowski, Paul Hoffman, Christopher DiPilato, Ed Snell, Scott Rice, Roger Bryson, Brian McDevitt, Anthony Gross, Doug Amorello

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RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

Section 1 Summary of proposal with management measures.

#	PROPOSAL	BENEFITS TO HANDGEAR FISHERY RESTORATION FOR FLEET DIVERISTY
1	Allocate the handgear HA permit history (PSC) of all groundfish (cod, haddock & pollock) HA fishermen catch from 1996-2006 as a specific Sub ACL only to be used by Handgear HA fishermen.	<ul style="list-style-type: none"> a. All gear types are fishing on groundfish handgear history in the common pool. b. Race to fish for handgear fishermen against other gear will be eliminated. c. Specific management measures for handgear fishermen will be made. d. Preserves a traditional fishery and gear type.
2	Specify handgear Groundfish Sub ACL history can only be used by HA fishermen, using Handgear, if fishing in a sector. Grandfather any HA permit holders who leased history in 2012 from this. See Letter.	<ul style="list-style-type: none"> a. Currently Handgear Groundfish PSC can be moved into sectors and this history may be fished by gear other than handgear. b. <u>Eventually all handgear PSC may be used by non handgear vessels and the fishery will be lost.</u> c. Preserves all the Groundfish history from moving away from the handgear fishery.
3	Removal of March 1-20 Handgear fishing closure	<ul style="list-style-type: none"> a. Not necessary under ACLs.
4	Access to fish in all permanent and rolling closures except the cod spawning closures.	<ul style="list-style-type: none"> a. Fishery under a hard ACL. b. Access should be the same as is for Recreational Fishermen who also use hook gear. c. Gear does not disturb bottom habitat.
5	LOA letter not required to fish either on a commercial groundfish trip or a Charter/Party trip	<ul style="list-style-type: none"> a. Flexibility needed on a day by day basis to choose what type of trip will be done. b. Many handgear commercial fishermen are also Charter boat operators.
6	Up to 10% unused Handgear HA ACL may be transferred to the following fishing year	<ul style="list-style-type: none"> a. This is allowed in other fisheries. b. Better use of unused allocations.

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

Section 1 Summary of proposal with management measures continued.

#	PROPOSAL	BENEFITS TO HANDGEAR FISHERY RESTORATION FOR FLEET DIVERISTY
7	Eliminate Trimester accountability measures for HA permit holders developed in A16	<ul style="list-style-type: none"> a. Catch rates are low. b. Catch of other primary handgear species in the common pool (haddock and Pollock) are not significant. c. Eliminate the race to fish under each Trimester. c. Separate cod sub ACL for Handgear fishermen.
8	Reactive AMs to not exceed Handgear cod Sub ACL	<ul style="list-style-type: none"> a. Required by MSA. d. Developed specific to Handgear fishing practices and effort.
9	IVR call in not required unless <u>50% of the cod, haddock or Pollock</u> . Handgear SUB ACL is harvested. Call in modified to streamline what is needed for this fishery.	<ul style="list-style-type: none"> a. Catch rates in this fishery are slow enough to loosen this reporting requirement. b. Repetitive information is gathered that is not needed. b. Current IVR call in requirements too complicated for this fishery.
10	Removal of requirement for HA fishermen to carry a tote.	<ul style="list-style-type: none"> c. Handgear fishermen keep their fish in coolers. Totes take up needed deck space in small boats.
11	Changes to handgear input controls	<ul style="list-style-type: none"> a. More flexibility needed to harvest cod Sub ACL b. Encourage more fishermen to participate in this fishery.

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

Section 2 STATUS OF THE HANDGEAR FISHERY

Current Commercial Cod Handgear Fishery:

(HA) Handgear A: Limited Access permit (limited number of permits)

A vessel with a valid open access multispecies handgear permit is allowed to possess and land up to 300 lb (136.1 kg) of cod, one Atlantic halibut per trip, and the daily possession limit for other regulated NE multispecies, provided that the vessel did not use or possess on board gear other than rod and reel or handlines while in possession of, fishing for, or landing NE multispecies, and provided it has at least one standard tote on board. A Handgear permit vessel may not fish for, possess, or land regulated species from March 1 through March 20 of each year and the vessel, if fishing with tub-trawl gear, may not fish with more than a maximum of 250 hooks.*

(HB) Handgear B: Open Access permit (open to any fisherman, unlimited in number of permits issued)

The vessel may possess and land up to 75 lb of cod and up to the landing and possession limit restrictions for other NE multispecies. Same gear and seasonal restrictions as HA permits.*

*Cod trip limit changes automatically proportional to cod trip limit changes for DAS vessels with Management actions.

Current Participation (2008/2009) data:

# Handgear HA Permits:	140
# HA fishermen who are active in the Cod fishery:	<10 (estimate)
# HB Permits:	1,137

Amendment 16 Data & Information:

Table 58 - Total number of multispecies vessels landing groundfish by permit category, FY 2004-FY 2007

Year	2004	2005	2006	2007
Individual DAS	691	637	590	530
Fleet DAS				
Small Vessel Exemption	2	1	2	4
Hook Gear	34	32	20	18
Combination Vessel	16	16	10	16
Large Mesh Ind. DAS	27	22	16	10
Large Mesh Fleet DAS	1			
Handgear Open Access	0			
Handgear - A	44	32	26	23
Handgear - B	75	63	59	73
Other Open Access	65	57	64	65
Total	955	860	787	739

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

Section 3 WHY CHANGE?

1. The current handgear rules and multiple layers of restrictions have resulted in a handgear fishery that is not profitable. The average revenue for handgear HA permits has plummeted to less than \$5000 per year when at one time this was the primary New England method of catching cod in New England. The MS fishery act requires that there be diverse fisheries with different gear types.
2. Amendment 16 (A16) EIS (Environmental Impact Study) states **“Vessels less than 30 feet saw the biggest decrease in revenue, with an 88.8% change between FY 2001 and FY 2007”**. If no action is taken to invigorate the small boat fisheries, we will have been regulated off the water, due to fishery Management Actions, even as fish stock rebound.
3. Fishing under Sectors is not a viable option considering the high costs compared to the low PSC (Potential Sector Contribution) that the Handgear fishermen received. The overwhelming majority of Handgear fishermen did not join sectors. Those who have PSC are not likely to fish in the sectors but are more likely to lease or sell their PSC. A16 estimated that it will cost fishermen \$17,000 per vessel to participate in sectors. The allocation of Cod (primary species) to Handgear fishermen is not enough to make it a profitable option to join a sector. There is no guarantee that even if a Handgear fisherman leased additional cod that the fisherman will be able to land the fish since they must first bite the hook. Once all the current Handgear permits and PSC history is bought up vessels not using Handgear, it will be extremely hard for new entrants into the fishery.
4. The current Handgear (HA and HB permits) Cod trip limits are tied to increases in the Cod trip limits for vessels fishing under DAS. At the time of Amendment 13 this rationale made sense. The idea was to have an automatic adjustment as the cod fishery rebound. With the majority of fishermen in Sectors, and the Handgear fishermen in the Common Pool, there is the very real possibility the cod TAC for the common pool will be harvested before the Handgear fishery will have had a chance to harvest their traditional percentage of the fishery. There is no possible way for the Handgear fishery to harvest cod at the rate of modern fishing methods such as trawls or gill nets. In the race to fish Handgear fishermen will lose every time.
5. There is no way for a person who wishes to become a commercial fisherman, to obtain a viable groundfish permit without substantial financial resources. The future generations need a way to be commercial ground fishermen with minimal startup costs.
6. Handgear fishermen can selectively fish with little or no bycatch. New England handgear fishermen primarily only catch Cod, haddock and Pollock with practically no appreciable quantities of other groundfish that are not considered rebuilt.
7. The fishery is very easy to manage if the management measures are kept to a minimum. The primary management measure proposed for this fishery will be trip limits with an Annual Catch Limit (ACL).
8. Similar Hook gear fisheries are successful such as the Hook Gear Halibut fishery in Alaska and the commercial Striped bass fishery in Maryland.

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

Section 4 Specifics of proposal and discussion.

#1 Permanently allocate the handgear HA permit ~~and~~ Groundfish history (PSC) of Cod, Haddock & Pollock from 1996-2006 as a specific Sub ACL only to be used for Handgear HA fishermen.

Discussion: All gears can fish on HA permit history which in turn leads to a race to fish where other gear types can harvest the cod Sub ACL before handgear have had the chance to catch their historical percentage of the fishery. **It is fair to allocate this small percentage to the Handgear fishery as what was done for the recreational fleet and for other commercial fisheries. This is not an IFQ plan.** Once this allocation is made, management measures can be developed to eliminate the race to fish and to reestablish of this traditional fishery in New England.

#2 Specify handgear Groundfish (cod, haddock & Pollock) Sub ACL history can only be used by fishermen using handgear. **However, Grandfather any Handgear fisherman (permit) who leased in 2012 from this.**

Discussion: Currently under Sectors, it is possible for a Handgear fisherman to join a sector and lease their PSC to other sector members who do not use Handgear. A Handgear fisherman can also sell their HA permit with attached PSC to a Boat owner who transfers it to a skiff and then the Handgear PSC is transferred into the Sector. Unless this practice stops, all the historical handgear PSC will be lost to other gear types and the handgear fishery will be lost. This practice, if continued will severely affect the sustainability of those wishing to fish using handgear by lowering the cod Sub Handgear ACL. This would not prevent a Handgear fisherman from fishing in a sector but if they choose to then they must use handgear.

#3 Removal of March 1-20 Handgear fishing closure

Discussion: No longer needed with a specific groundfish Sub ACL. Catch of other species is not significant enough to warrant this closure. Spawning areas have replaced the need for this measure along with ACLs.

#4 Access to fish in all permanent and rolling closures except the cod spawning closures.

Discussion: Handgear fishermen would now be fishing under a cod Sub ACL and no longer need this effort control imposed under previous management measures. Handgear fishermen use small boats that mostly limit them to inshore waters. They do not disturb essential fish habitat. They should have the same access as the recreational fishery that also use hook gear.

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

#5 LOA letter not required to fish either on a commercial groundfish trip or a Charter/Party trip.

Discussion: Many handgear fishermen also are Charter/Partyboat operators. Flexibility is needed more than ever so a fisherman can choose if they wish to charter for the day or fish under their Handgear permit commercially. This LOA letter is not needed when Handgear fishermen have access to the permanent and rolling closures. Enforcement will be similar to the BF tuna fishery where they are limited by the trip limits. Once a recreational trip limit is exceeded the trip is automatically becomes a commercial trip and a VTR would be filled out prior to returning to the dock as a commercial trip.

#6 Up to 10% unused HA cod ACL Quota may be transferred to the following fishing year.

Discussion: This would provide some stability from a poor fishing year into a good fishing year for quota management. Roll over provisions currently exist in other fisheries. This is a conservation positive provision since there is no guarantee the extra 20% will be caught.

#7 Eliminate Trimester accountability measures for HA permit holders developed in A16.

Discussion: Catch rates are low and this is not warranted because of a specific cod sub ACL. The primary catch is Cod with some haddock and pollock. The catch of other species is not significant.

#8 Reactive AMs to not exceed Handgear cod Sub ACL.

Discussion:

- a. Cod trip limit initially set at 300 lbs. When 50% of the Handgear ACL is harvested, the NMFS will reduce the trip limit (in increments of 100lbs but no less than 100lbs) to spread the cod fishery out over the remainder of the fishing year based on past historical catch rates per season.
- b. Haddock trip limit will be set for the year based on the historical catch rates.
- c. Pollock trip limit initially set at 500 lbs. When 50% of the Handgear ACL is harvested, the NMFS will reduce the trip limit (in increments of 100lbs but no less than 100lbs) to spread the pollock fishery out over the remainder of the fishing year based on past historical catch rates per season.
- d. Any overages in ACL would be subtracted from the next year ACL for each fish species.

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

#9 IVR call in not required unless 50% of the cod, haddock or pollock Handgear SUB ACL harvested. Call in modified to streamline want is needed for this fishery.

Discussion: Catch rates in this fishery are slow enough to loosen this reporting requirement. Repetitive information is unnecessarily gathered such as (phone number, BSA, gear used, ect). Only end of trip IVR call in with permit number and VTR # is needed when 50% of the cod Sub ACL is reached. The dealer reports the catch within 24 hrs. via the dealer reporting. The current call in & out system is too complex for this simple fishery.

#10 Removal of requirement for HA fishermen to carry a tote.

Discussion: Handgear fishermen keep their fish in coolers. Totes take up needed deck space in small boats. Fish are often unloaded from coolers into totes at point of sale or at the dock where the fish are transferred off the vessel. **Other commercial fisheries do not require totes to be onboard.** Transferring the fish at sea from iced coolers to totes, spoils the quality of the fish. Since the quantity of fish is small, Handgear fishermen must maximize the quality. The dealer report will list the precise quantity of fish in pounds and this is reported to NMFS.

#11 Changes to handgear input controls

Discussion: Electric assist reels will be allowed on fishing rods. Small winches typically found as lobster haulers or line haulers may be used to bring in the 250 hooks (# hooks may increase in future fishery actions) tub trawl. Under a hard Sub ACL for cod these input controls are warranted. This is requested to allow an easier harvest of the cod Sub ACL but is keeping in line with the type of fishery this is. Electric assist reels are very popular in the recreational fishery for deep water fishing and this would help handgear fishermen target larger cod. Small winches for hauling the tub trawl is for safety reasons and well as easing the input controls.

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

Section 5 Why current HA fishermen should support this.

1. HA cod (haddock & Pollock) history is now part of the Amendment 16 common pool. If the other fishermen in the common pool catch the cod TAC early, the handgear cod fishery may be shut down before HA permit holders had a chance to harvest any cod. This is the race to fish that handgear fishermen will lose.
2. Removing the Handgear historical cod (haddock & Pollock) catch from the common pool cod measures Handgear fishermen will not be under a race to fish and can fish when it best suits their business plan.
3. Currently with the rolling closures small boat fishermen do not have access to the fishery when the weather is best suited and safe to fish.
4. Existing permits who decide to leave the fishery can sell/transfer their permits, to recoup any costs associated with their participation in the fishery, if they choose.
5. As the cod fishery rebounds, the cod trip limits will increase that will lead to much better profits per fisherman.
6. Exemptions from the rolling/permanent area closures (except cod spawning closures) which in some cases reduced Handgear cod catches by 75% and made the cod fishery inaccessible to many when cod are historically most plentiful. Handgear fishermen can't fish offshore or around rolling closures.
7. Future generations of fishermen will be able to actively once again participate in a historical fishery and be profitable.
8. **Once again a 17yr old HS student can borrow his parent's skiff and go commercially cod (haddock & Pollock) fishing in the summer instead of flipping burgers. The only cost to fish is the fuel to run the boat for the day and some ice. Eventually this fishery could lead to a way for new entrants into larger scale commercial fishing ventures for groundfish.**

Section 6 Why Fishery Managers should support this.

1. MSA requires a diverse commercial fleet with different gear types.
2. This is hard cod Sub ACL fishery.
3. This is basically a three species fishery that is easily managed.
4. Many layers of outdated Hangear management measures are removed.
5. Easy enforcement. The only enforcement necessary would be size limits and trip limits.

RESTORING THE NEW ENGLAND GROUND FISH HANDGEAR FISHERY PROPOSAL

6. At sea monitoring is not required since handgear fishermen do not harvest many species nor do they move between management areas. Marine Mammal interactions do not occur in this fishery.
7. Double monitoring for quota purposes at point of sale (dealer) and via the traditional VTR. It is anticipated that Handgear will be able to enter their VTR trip data electronically at home via the internet after a trip.
8. Sustainable fishery to match the fishery stocks.
9. Catch rates are slow due to the gear used.
10. Reinvigoration of the handgear fishery fleet that has fallen to its lowest level ever.
11. Enable new entrants into a fishery without the unknowns of an open access fishery.

INFORMATION FROM PDT REPORT:

To date, 22 have been used to actively fish. One (1) fisherman enrolled in a sector and is actively fishing for groundfish. 21 fishermen are fishing in the common pool. There are 20 HA permits enrolled in seven unique sectors, including one that has been actively fished. **Thus, the ACE associated with 19 HA permits is being used by sector members fishing with other gear types aside from Handgear.**

COMMENTS FROM PDT REPORTS:

The PDT/NMFS claims it would take resources to manage this quota. We do not believe managing the catch of 20 something handgear fishermen's landings will be an issue no more than it is to manage the red crab fishery, herring fishery, bluefin tuna purse seine fishery, ocean quahog fishery, or other fisheries with a small number of participants. Each Federal Handgear fisherman must sell to a dealer that reports the catch right away. Also each Handgear fisherman must fill out a VTR and this constitutes essentially double reporting of the catch. The Magnuson-Stevens Act does not state the NMFS can ignore small owner-operated fishing vessels. As a matter of fact the intent of Congress was to protect "small owner-operated fishing vessels" and handgear vessels are generally the smallest vessels in the fishery. The layer and layers of regulations made the Handgear fishery small, not the status of the stocks. This plan stabilizes the handgear fishery and makes sure there is real opportunities for entry-level fishermen to actively participate in the future.

(C) **include measures to assist**, when necessary and appropriate, **entry-level and small vessel owner-operators**, captains, crew, and fishing communities through set-asides of harvesting allocations, including providing privileges, which may include set-asides or allocations of harvesting privileges, or economic assistance in the purchase of limited access privileges;

(i) **the development of policies to promote the sustained participation of small owner-operated fishing vessels** and fishing communities that depend on the fisheries, including regional or port-specific landing or delivery requirements;...

