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Whiting Amendment 22 Comments

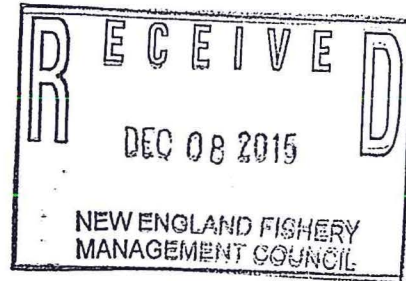
ASSOCIATED FISHERIES OF MAINE

PO Box 287, South Berwick, ME 03908

December 8, 2015

Thomas A. Nies, Executive Director
New England Fishery Management Council
50 Water Street, Mill #2
Newburyport, MA 01950

VIA ELECTRONIC MAIL



Small-Mesh Multispecies Amendment 22 Scoping Comments

Dear Tom:

Thank you for the opportunity to comment on the proposed Amendment 22 to implement limited entry in the whiting fishery.

The scoping document describes the need for this amendment as "to reduce the potential for a rapid escalation of the small-mesh multispecies fishery, possibly causing overfishing and having a negative effect on red hake and whiting markets, both outcomes having negative effects on fishery participants."

It is hard to imagine how a "rapid escalation of the fishery" could occur under current conditions:

- small mesh fishing in the groundfish regulated mesh area has been severely constrained for nearly two decades, and
- the scoping document shows that the fishery is harvesting less than 25% of the acceptable biological catch (ABC) for whiting in both the northern and southern stock areas

While the harvest of red hake in the northern stock area has recently exceeded the ABC, this catch can be controlled or discouraged by low red hake possession limits and/or limitations to known areas of high red hake bycatch.

While Southern New England/Mid Atlantic yellowtail flounder catch has been above the small-mesh fishery sub-ACL, the appropriate solution to reducing yellowtail catch in small mesh fisheries is gear modifications.

Sincerely,

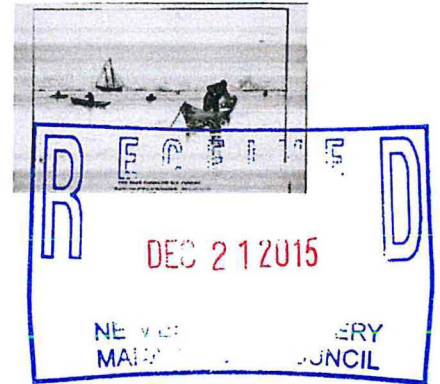
M. Raymond

Maggie Raymond

91 FAIRVIEW AVE
PORSTMOUTH NH 03801

**NORTHEAST HOOK
FISHERMAN'S ASSOCIATION**

December 21, 2015
New England Fishery Management Council
50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
Thomas A. Nies, *Executive Director*



Subject: Small-Mesh Multispecies Amendment 22 Scoping Comments.

Dear Executive Director Tom Nies:

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 some species of groundfish. 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.

Regarding Amendment 22, our comments are:

- Should non-qualifiers be allowed to land red hake and whiting?

Yes. There should be a % of the fishery allocated to the non-qualifiers who may incidentally catch red hake and whiting. Sometimes these fish are caught for bait by handgear fishermen to use for Bluefin Tuna fishing. These fish would be recorded on a VTR since the holder of a HA permit is required to report all groundfish caught even if the fish are used as bait. Without this allowance we would not be able to use these important fish for bait.

- What would vessels with an incidental permit be able to land (using any gear type) and what other restrictions might apply?

Some incidental trip limit should apply.

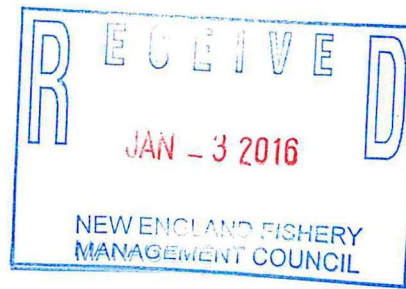
Respectfully,

Marc Stettner /s/

NEHFA MEMBERS: Marc Stettner, Timothy Rider, AJ Orlando, 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.

Blue Water Fisheries, Inc.
PO Box 2242
Montauk, NY 11954



01/03/2016

Thomas A. Nies, Executive Director
NEFMC
50 Water Street, Mill #2
Newburyport, MA 01950

Dear Mr. Nies,

I am writing this letter in response to a request for comments on the Scoping Document for the Small Mesh Multispecies Limited Access amendment that the NEFMC is considering. Blue Water Fisheries owns two vessels that fish for small mesh multispecies in both the northern and southern management areas.

First and foremost I would like to say that I am in favor of developing a limited access plan for the small-mesh multispecies [whiting] fishery. The justification for such a plan is spelled out thoroughly in the Scoping Document. The Council initiated the development of this amendment to address three issues. The following are my thoughts on each one.

1] Limited access qualification criteria:

As already stated, I believe that the Council should use limited access to control capacity in this fishery and the control date of November 28, 2012 should be used. I think that the Council should also consider developing a limited access permit with multiple tiers, including an incidental permit, based on the qualifying vessels history with different possession limits for each tier. The tiers should be based on landings over a 10- year period going back from the control date. Here are some options that the Council could analyze and consider.

Tier 1: Consider using a landings qualifier of between 1,000,000 - 1,500,000 lbs of silver hake/red hake combined over the 10-year period. Analyze this option in increments of 100,000 lbs to look at the number of vessels that would qualify over this range of options.

Tier 2: Consider using a landings qualifier of between 300,000 - 1,000,000 lbs of silver hake/red hake combined over the same period and do an analysis in increments of 100,000 lbs.

Tier 3: Consider using a landings qualifier of between 50,000 - 300,000 lbs of silver hake/red hake combined over the same period and do an analysis in increments of 50,000 lbs.

Although some people would consider these qualifiers to be on the high side keep in mind that this has traditionally been a high volume/low price fishery. Consider that a vessel that has landed just 2 trips of 7,500 lbs per year would have 15,000 lbs of history per year or a potential of 150,000 lbs for the 10-year period. On the higher end a vessel that has landed 20 trips of 30,000 lbs per year could have a 10- year history of 6,000,000 lbs. Also keep in mind that some of the directed whiting vessels land between 50 and 70 directed trips of 30-40,000 lb of whiting each per year. These vessels have upwards of 15 million pounds of landings each over the 10- year period.

I think that the qualification criteria should be developed so that the participants who were active in the 10 year period are not adversely affected by this amendment. As far as the data quality problems, I believe that the Council should use a combination of VTR and dealer data to determine limited access qualification with an emphasis on the VTR data. I also believe that the qualification criteria should be the same for both the northern and southern areas with each

limited access permit being able to fish in either area. Both management areas could have different possession limits based on the status of each stock and on the areas fished.

2] Limited access permit characteristics and conditions:

I do not believe that new entrants should be allowed to enter the fishery if it is not achieving OY due to insufficient effort. There are too many existing and potential choke species that could shut this fishery down now without the additional effort of new entrants. An accumulation limit would be one permit per vessel with one possession limit per trip. An incidental trip limit of 3,500 lbs of combined silver hake/red hake would keep the limited access qualification from having an affect on participation in other small-mesh fisheries. I believe that the proposed limited access permit should be attached to each vessels existing Northeast permit package and transferable by sale only.

3] Permit categories and associated measures.

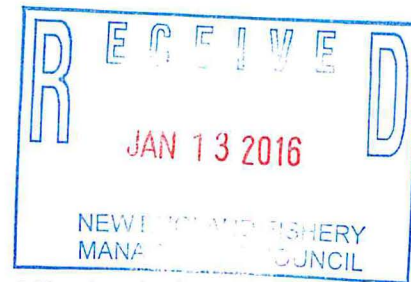
If the Council develops a multi-tiered limited access system for this fishery then the amount of small-mesh fishing activity allowed under each permit could be determined by the vessels qualification history. In my opinion the Council should consider a different trip limit of silver hake for each tier. For example, a tier 3 permit could be allowed a maximum trip limit of 7,500 lbs of silver hake, a tier 2 permit could be allowed a maximum trip limit of 15,000 lbs of silver hake and a tier 1 permit would be allowed the maximum limit of silver hake which is now 30,000 lbs in the northern area and 40,000 lbs in the southern area. The trip limit for red hake could remain the same as it is now based on which area the vessel fishes in.

Also, keep in mind that the existing mesh-size based trip limits for silver hake would remain the same as they are now. Smaller than 2.5 inches is a possession limit of 3,500 lbs, greater than 2.5 inches but less than 3 inches is a maximum of 7,500 lbs and 3 inches or greater is the maximum trip limit allowed by the area fished. The incidental permit could allow a maximum possession limit of 3,500 lbs for other fisheries. This trip limit could be based on a percentage of the weight of the targeted species so as not to allow the incidental permit to become a directed fishery itself.

Thank you,

Dan Farnham, VP
Blue Water Fisheries ,Inc.

Received via email – January 13, 2016



To Mr. Tom Nies as well as whomever it may concern,

My name is Hank Lackner the owner and operator off an offshore whiting trawler homeported in Montauk NY.

I believe it is imperative that the council vote in favor of limited entry in the whiting fishery. The reasons are simple :

There are numerous choke species(red hake, Georges yt flounder, windowpane flounder and quite possibly haddock) that effect or could effect the fishery . Until there is adaquate amounts of these species, the fishery can not handle any new entrants. It should not matter if OY is being reached or not.

In the past the council has used a "use it or loose it" policy and they should remain CONSISTENT in their decision making policies!!!

I am in favor of a 4 tiered system:

- tier 1 -full participation 40,000lb trip limit.
- tier 2- 20,000 lb trip limit
- tier 3- 7,500 trip limit / mandatory 2.5 in twine
- tier 4- incidental trip limit 2,500

The qualifying pounds for these catagories would be

- tier1 - 1,500,000lbs.. a combination of both past and CURRENT landings
- tier 2- 750,000lbs again both past and CURRENT landing needed
- tier 3- 250,000lbs past and current
- tier 4- incidental open access

The rational for these numbers is quite simple : 1,500,000 lbs equates to less than 4 directed trips for whiting a year, at the current trip limit, spread over a 10 year time period.. even these numbers do not seem like something that would be considered full time. So it is extremely fair..Of course similar logic applies to the other tiers as well..

The current control date is on the verge of being stale,so with that being said a mix of both PAST and CURRENT landings should be used>> this will show who the true whiting fisherman are..

Handling groundfish boats that catch whiting is very simple.. Due to the choke species involved (red hake,georges yt flounder,window pane flounder and possibly haddock) only incidental landings limits should apply..This will make enforcement issues quite easy.

The northern and southern areas should remain as one permit but the boats must operate under each areas regs..-keep things the same..

VMS should only be used if 85% of a tac is caught.that is either siver or red hake

Communities that will be most effected are those that dont get protection from a limited access plan. Choke species can possibly close down the fishery for those that have been in it for years.

Lastly,I am asking the council again, to be consitent in their decision making policies.Long past history was never considered in the groundfish plan and should not be here. Decisions were based on recent history. Policy should remain the same throughout New Englands juristicition.

Management decisions should not be based on what ifs and what was!!

Limited entry was established in a lot of other fisheries and should be done here as well

Thank You ,
Hank Lackner