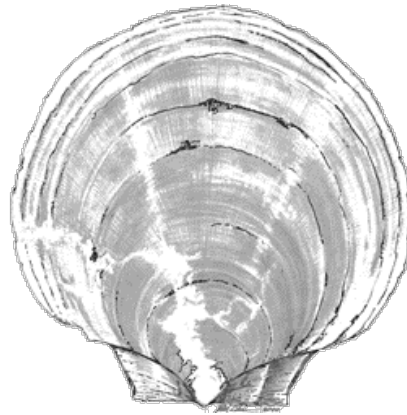


**Summary of Public Hearing Comments**  
**for**  
**Amendment 21 to the**  
**Atlantic Sea Scallop Fishery Management Plan**



**September 17, 2020**

**Compiled by the**  
**New England Fishery Management Council Staff**

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## 1.0 INTRODUCTION

The New England Fishery Management Council (NEFMC) has developed Amendment 21 to the Atlantic Sea Scallop Fishery Management Plan (A21) to address three specific issues: 1) measures related to the Northern Gulf of Maine (NGOM) Management Area, 2) Limited Access General Category (LAGC) individual fishing quota (IFQ) possession limits, and 3) the ability of Limited Access vessels with LAGC IFQ to transfer quota to LAGC IFQ only vessels. The NEFMC accepted written and oral comments on this action during the public comment period on this amendment, which began on July 22, 2020 and closed on September 4, 2020. Four public hearings were held via webinar, moderated by the Atlantic Sea Scallop Committee chairman and supported by NEFMC staff. All written (letters and emails) and oral comments (summary and audio recordings) are available for review by the NEFMC and public. This report summarizes the demographics of commenters and the key themes of their statements. This report does not respond to the comments. It is intended to serve as a guide for reviewing the comments and should not substitute for reading the comments directly.

All comments received during the public comment period are summarized here. This includes the written comments and summaries of each hearing that contain close (but not exact) transcriptions of the oral comments. If a person spoke multiple times at a given hearing, that is counted as one comment.

The range of rationales is included here in no order. Excerpts from comments are inserted below to help capture the flavor of the themes that have been identified. This summary is not intended to be a substitute for the comments received through the Amendment 21 public comment period – interested parties should consult the full text of public hearing meeting summaries and public comments, which are available on the Council’s website at this link: <https://www.nefmc.org/library/amendment-21>

## 2.0 DESCRIPTION OF COMMENTERS

### Oral Commenters

The total attendance for the four public hearings was 98, including people who attended more than one hearing; 50 unique attendees participated in the hearings. Thirteen different people spoke about Amendment 21 (Table 1). Oral comments were received from ten people representing themselves or their business (77%) and three people representing fishing organizations (23%).

**Table 1. Public hearing webinar attendance**

Webinar date	Attendees	Speakers
August 5	29	2
August 12	18	2
August 27	21	4
September 2	30	7
<b>Total</b>	<b>98<sup>a</sup></b>	<b>13<sup>b</sup></b>
Note: Does not include Scallop Committee Chairman and Council staff. <sup>a</sup> Includes duplicates. <sup>b</sup> Duplicates removed.		

### Written Commenters

There were 54 written comments (letters and e-mails) received during the comment period, signed by 55 people. There were 50 written comments from individuals or businesses (93%), two from non-governmental organizations (2%), and two were U.S. Congressional Representatives (2%).

### Oral and Written Commenters Combined

There were **59 people** who commented on Amendment 21 through **67 comments** (i.e., 13 oral and 54 written). Of the 59 commenters, 19 (32%) had also commented during the scoping period (Table 2). Note, some comments were given by people who represent businesses or organizations, and the total number of people those businesses or organizations represent cannot be determined. Of the 59 commenters, six people submitted just oral comments, 46 people submitted just written comments, and seven people submitted both. Ten (17%) of the 59 people made more than one comment (e.g., spoke at more than one hearing or spoke and submitted a letter). In all, 53 people commented on behalf of themselves or a business, four commented on behalf of an organization (Table 3), and two were U.S. Congressional Representatives.

The 59 commenters represent multiple stakeholder types (Table 2). The 26 commenters who own/hold scallop vessels/permits fell into five different sub-categories, those with: 1) Northern Gulf of Maine (NGOM) only permits/vessels, 2) Individual Fishing Quota (IFQ) only permits/vessels, 3) NGOM and IFQ permits/vessels, 4) Limited Access (LA) only permits/vessels, and 5) a LA vessel with an IFQ permit and another IFQ vessel or IFQ permit in Confirmation of Permit History (CPH). Most of these commenters (n=23) have a NGOM permit/vessel. Most of the scallop fishery commenters hold NGOM permits, so for summarizing comments by stakeholder type, the scallop fishermen were grouped by “NGOM” and “LA & IFQ”, with the one fisherman with NGOM and IFQ permits grouped as NGOM. Contrary to scoping, no comments were received from people with 1) a LA vessel(s) and a separate IFQ vessel(s) or 2) a LA vessel(s) with an IFQ permit on the same vessel.

**Table 2. Primary stakeholder type of commenters**

Primary stakeholder type	Oral only	Oral & written	Written only	Total	Also commented in scoping
Scallop fishery - NGOM only	0	4	16	<b>20</b>	<b>10</b>
Scallop fishery - IFQ only	1	0	1	<b>2</b>	<b>1</b>
Scallop fishery – NGOM and IFQ	0	1	0	<b>1</b>	<b>1</b>
Scallop fishery - LA only	1	0	0	<b>1</b>	<b>0</b>
Scallop fishery – LA vessel with IFQ permit plus IFQ vessel or CPH	1	0	1	<b>2</b>	<b>2</b>
Shoreside support services	0	1	7	<b>8</b>	<b>1</b>
Fishing organization	2	1	0	<b>3</b>	<b>3</b>
Other non-governmental organization	0	0	1	<b>1</b>	<b>0</b>
Government representatives	0	0	2	<b>2</b>	<b>0</b>
Other interested public	1	0	18	<b>19</b>	<b>1</b>
<b>Total commenters</b>	<b>6</b>	<b>7</b>	<b>46</b>	<b>59</b>	<b>19</b>

**Table 3. Organizations and shoreside support services that commented**

B & C Seafood, Inc.	Hamilton Marine
Casco Bay Seafood	Maine Center for Coastal Fisheries
Community Shellfish LLC	Maine Coast Fishermen’s Association
Downeast Dayboat	Mass. Fabricating & Welding, Inc.
Fisheries Survival Fund	Seasonal Seafood
Fishermen’s Dock Co-op	United National Fishermen’s Association

**Table 4. Home state of commenters**

State	Number of commenters	% of Total Commenters	Also commented in scoping
ME	33	56%	12
NH	2	3%	0
MA	10	17%	3
VT	1	2%	0
NJ	4	7%	3
DC	1	2%	1
VA	1	2%	0
FL	2	3%	0
MO	1	2%	0
AZ	1	2%	0
Unknown	3	5%	0
<b>Total</b>	<b>59</b>	<b>100%</b>	<b>19</b>

Commenters were from nine states and the District of Columbia (Table 4), primarily Maine (56%) and Massachusetts (17%). Home state could not be identified for three commenters (5%). Commenters from six states had not commented during scoping.

## 3.0 CONTENT OF COMMENTS

### 3.1 AMENDMENT 21 ALTERNATIVES

For the most part, comments were focused on the three main topics of Amendment 21: the Northern Gulf of Maine area, LAGC IFQ possession limits, and the transfer of quota from LA vessels to LAGC IFQ-only vessels. Not everyone chose to comment on each of these topics. In fact, most commenters focused on the NGOM management alternatives, within Actions 1-6, and this summary groups the comments accordingly. The following subsections include more information about the comments regarding Actions 1-6 and 7-10. The bullets capture much of the rationale provided by individual commenters.

#### 3.1.1 Action 1-6 Alternatives (NGOM)

Actions 1-6 regard management of the NGOM Area, comments on which were provided by four organizations and 51 people on behalf of themselves or their business (including the two U.S. Representatives), through 12 oral and 53 written comments (Table 5). Of these, 16 people shared their general support for the all the Council’s preliminary preferred alternatives in Actions 1-6 or support for the NGOM-permitted scallop fishery but did not comment on specific alternatives. Generally, Action 2, NGOM Allocations, was of greatest interest to the commenters. Rationale was commonly provided in support or against specific alternatives within Action 2, with less rationale provided when supporting alternatives in other actions. Commenters were a mix of NGOM and LA and/or IFQ fishermen, organizations, shoreside support services, and other interested public (Table 6) and were from a wide range of states (Table 7).

**Table 5. Support for specific alternatives within Actions 1-6**

Alternative	People commenting on behalf of (#)		Comments (#)	
	Organizations	Self or Bus.	Oral	Written
<i>Action 1 – NGOM Catch Limits</i>				
Alternative 2*	2	11	4	9
<i>Action 2 – NGOM Allocations</i>				
Alternative 2 Option 2*	2	33	6	33
Alternative 2 Option 3	1	4	3	1
Alternative 2 Option 4 modified**	0	2	1	1
<i>Action 3 – Monitoring the Directed Fishery</i>				
Alternative 2*	2	17	3	18
<i>Action 4 – Research Set-Aside</i>				
Alternative 2, Option 4*	2	17	5	17
<i>Action 5 – NGOM Seasons</i>				
Alternative 1*	2	17	5	16
<i>Action 6 – NGOM Dredge</i>				
Alternative 1*	1	10	3	9
Alternative 2	0	2	0	2
Alternative 3	1	2	1	3
<i>General support for NGOM fishery and preferred alternatives</i>	0	16	2	15
<b>Total commenters on Actions 1-6</b>	<b>4</b>	<b>51</b>	<b>11</b>	<b>51</b>

\*Preliminary preferred alternative. \*\*Alternative not currently in Amendment 21 (200,000 lb trigger, 95/5 split).

**Table 6. Support of alternatives in Actions 1-6, by primary stakeholder type**

Alternative	Scallop Fishery		Orgs.	Shoreside	Other	Total
	NGOM	LA&IFQ				
<i>Action 1 – NGOM Catch Limits</i>						
Alternative 2*	6	3	2	0	0	11
<i>Action 2 – NGOM Allocations</i>						
Alternative 2 Option 2*	19	0	2	5	7	33
Alternative 2 Option 3	0	2	1	1	0	4
Alternative 2 Option 4 modified**	0	2	0	0	0	2
<i>Action 3 – Monitoring the Directed Fishery</i>						
Alternative 2*	13	1	2	2	1	19
<i>Action 4 – Research Set-Aside</i>						
Alternative 2, Option 4*	13	1	2	2	1	19
<i>Action 5 – NGOM Seasons</i>						
Alternative 1*	12	3	2	2	0	19
<i>Action 6 – NGOM Dredge</i>						
Alternative 1*	7	2	1	1	0	11
Alternative 2	1	0	0	1	0	2
Alternative 3	2	0	1	0	0	3
<i>General support for NGOM fishery and preferred alternatives</i>	3	0	0	1	12	16
<b>Total commenters on Actions 1-6</b>	<b>21</b>	<b>4</b>	<b>4</b>	<b>7</b>	<b>19</b>	<b>55</b>

\*Preliminary preferred alternative. \*\*Alternative not currently in Amendment 21 (200,000 lb trigger, 95/5 split).

**Table 7. Support of alternatives in Actions 1-6, by home state**

Alternative	ME	NH	MA	NJ	DC	Other	Total
<i>Action 1 – NGOM Catch Limits</i>							
Alternative 2*	5	0	3	2	1	0	11
<i>Action 2 – NGOM Allocations</i>							
Alternative 2 Option 2*	26	2	3	0	0	2	33
Alternative 2 Option 3	0	0	2	1	1	0	4
Alternative 2 Option 4 modified**	0	0	1	1	0	0	2
<i>Action 3 – Monitoring the Directed Fishery</i>							
Alternative 2*	13	2	2	1	1	0	19
<i>Action 4 – Research Set-Aside</i>							
Alternative 2, Option 4*	14	2	1	1	1	0	19
<i>Action 5 – NGOM Seasons</i>							
Alternative 1*	11	2	3	2	1	0	19
<i>Action 6 – NGOM Dredge</i>							
Alternative 1*	6	0	2	2	1	0	11
Alternative 2	2	0	0	0	0	0	2
Alternative 3	3	0	0	0	0	0	3
<i>General support for NGOM fishery and preferred alternatives</i>	9	0	1	0	0	6	16
<b>Total commenters on Actions 1-6</b>	<b>33</b>	<b>2</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>9</b>	<b>55</b>

\*Preliminary preferred alternative. \*\*Alternative not currently in Amendment 21 (200,000 lb trigger, 95/5 split).  
 Note: “other” states are VA, FL, MO, AZ, VT and unknown.

**Action 1 – NGOM Catch Limits.** All who commented on Action 1 specifically were in support of Alternative 2, which was the Council’s preliminary preferred alternative. This includes two organizations and 11 people on behalf of themselves or their business, through 13 comments. The 11 people are all scallop fishermen, six are NGOM-permitted scallop fishermen, and three have LA and/or IFQ permits (Table 6).

Support for Alternative 2 included:

- Adding the NGOM to the OFL/ABC “flow chart” would improve management of the NGOM and bring the NGOM in line with how the fishery is managed.
- Statements of support with no rationale provided.

**Action 2 – NGOM Allocations.** Action 2 was the action most commented upon. Many who commented on Action 2 specifically were in support of Alternative 2, Option 2, the Council’s preliminary preferred alternative. This includes two organizations and 31 people on behalf of themselves or their business (including the U.S. Representatives), through 39 comments. The 31 people are primarily NGOM-permitted scallop fishermen with a lesser number of shoreside support businesses and other interested public in support as well. In addition, there were 16 people, primarily other interested public, with comments along similar general themes as those specifically in support of this alternative.

A smaller number of comments were in opposition to Alternative 2, Option 2 and/or supported other alternatives. These commenters were primarily LA and(or) LAGC IFQ scallop fishermen/vessel owners and a related industry organization representing the LA fishery. There were four individuals and one organization in support of Option 3 (i.e., the alternative supported by the Scallop Advisory Panel) and two of these also supported a modification to Option 4 (200,000 lb trigger with 95/5 split).

Support for Alternative 2, Option 2 included:

- It is a “fair compromise” that supports “shared growth within the industry in the NGOM.”
- “The scallop resource is cyclical in the NGOM but it has always been an important part of our income and heritage.”
- “Council’s intent [in Amendment 11] was clear: this area was established for the purpose of making sure boats like mine could access it when the resource recovered, and there was no fine print anywhere that said “but only if it doesn’t come back strong”. I know we’re limited to 200 pounds, but I don’t see anywhere that we’re also supposed to also be limited to just a few weeks of fishing.”
- “This proposal would ensure priority for small, local boats when the scallop biomass is low, while granting access to all boats when the biomass can support a larger fleet. I believe that this option provides adequate access for all harvesters and represents a compromise that will support a sustainable scallop fishery.”
- “Our NGOM permits can only fish in this area of the ocean, so allowing a trigger of 600,000lbs gives a reasonable allowance for the small boats, and then the 25/75 split allows for shared growth.”
- “I understand the LA fleet is worried about what might happen if climate change pushes the resource north and their traditional grounds are depleted....If the resource truly shifts, they’ll get the lion’s share.”
- “Amendment 11 clearly stated they created the NGOM because scallops are important to communities in northern New England. How are those communities going to be helped if 95% of the scallops are caught by trip boats that bring them all back to New Bedford?”
- “I’ve read parts of Amendment 11 and I see a lot about communities and diversity and historic importance and I don’t think giving us a 6 week fishery while the big boats take the rest is what the Council was shooting for.”

Opposition to Alternative 2, Option 2/Support for other approaches included:

- “600,000 pounds is well above historic catch by this group of vessels and its breaking the norm of how the Council usually sets allocations. One of the stated goals of Amendment 21 is to allow access to the limited access fishery in the NGOM. When you are setting a trigger higher than the level of fishing that has ever been seen, are you really supporting access to the limited access fleet?”
- “A 95/5 split over the trigger will allow for growth in the NGOM and is consistent with how allocations have been shared between the Limited Access and Limited Access General Category components in the past.”
- “...the recommendation from the Committee was too generous with what is happening with global warming right now. With today’s numbers it’s not too bad, but global warming is real and there will be a shift in scallop distribution.”
- “This [Option 3] is far above the historical average, almost triple recent catch levels, and more than 10 times the catch that was seen in this area when it was first established. These scallops are all considered one stock and I think they should be treated consistently throughout their range.”
- “The Limited Access fleet should be allowed meaningful access to the NGOM under accustomed cycles of abundance as well.”

**Action 3 – Monitoring the Directed Fishery.** All who commented on Action 3 specifically were in support of Alternative 2 (set-aside a portion of the NGOM allocation to support monitoring), the Council’s preliminary preferred alternative. This includes two organizations and 17 people on behalf of themselves or their business, through 21 comments. The 17 people are a mix of NGOM and LA and/or IFQ fishermen, shoreside support services, and other interested public. There were some cautionary notes about carrying in-person observers on the NGOM-permitted vessels and a few comments were in support of electronic monitoring. Some comments in support had no specific rationale included.

Support for Alternative 2 included:

- Basing “future management decisions on the best available science.”
- “...need to address the paucity of data in the NGOM Management Area.”
- “the ability of most boats in this class to accommodate extra personal as well as be able to afford to pay for much for it as we are very limited in our ability to take on other costs. There may be some acceptable ways of accomplishing this task through electronic monitors and those types of things.’
- “...we believe that electronic monitoring<sup>1</sup> will reduce costs, allow for smoother operation on small boats, and create a better data stream for scallop management in the Northern Gulf of Maine”

**Action 4 – Research Set-Aside.** All who commented on Action 4 specifically were in support of Alternative 2 (allocate a portion of NGOM Allocation to increase the overall Scallop RSA and support RSA compensation fishing), Option 4 (25,000 lb), the Council’s preliminary preferred alternative. This includes three organizations and 17 people on behalf of themselves or their business, through 21 comments. The 17 people are a mix of NGOM and LA and/or IFQ fishermen, shoreside support services, and other interested public. Some comments in support had no specific rationale included.

Support for Alternative 2 included:

- “...scallops from the NGOM should go towards helping us understand what's happening with the

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<sup>1</sup> Electronic monitoring is not explicitly in the alternative.



resource.”

- “I... am hopeful that resulting management grows a healthy fishery In the NGOM supporting many.
- “...this is a wise investment in our future.”
- “If we're going to rebuild this fishery we'll have to learn more about it because, as the Council has already recognized, it's not the same as the resource to the south.”

**Action 5 – NGOM Seasons.** All who commented on Action 5 specifically were in support of Alternative 1 (No Action), the Council’s preliminary preferred alternative. This includes two organizations and 17 people on behalf of themselves or their business, through 21 comments. The 17 people are a mix of NGOM and LA and/or IFQ fishermen and shoreside support services.

Support for Alternative 1 included:

- “I don't want to be told when I can fish - I'd rather that's left up to me.”
- “We do not need to establish limits on when or where vessels can fish at this time as there are no issues that currently exist.”
- “...let the fishermen decide that themselves, based on what makes sense for their businesses and the businesses of the dealers like me who buy from them.”
- “Changing the current regulations may have unintended consequences when it comes to gear conflict...”

**Action 6 – NGOM Dredge Width for LA Vessels.** Most who commented on Action 6 specifically were in support of Alternative 1 (No Action), the Council’s preliminary preferred alternative. This includes one organization and 11 people on behalf of themselves or their business, through 12 comments. The 11 people are a mix of NGOM and LA and/or IFQ fishermen and shoreside support services. Alternative 2 was supported by one NGOM fisherman and one shoreside support business and Alternative 3 was supported by two NGOM fishermen and one organization.

Support for Alternative 1 included:

- “...there is absolutely zero conservation rationale for limiting dredge size in the NGOM. If you don't have a conservation rationale basis for gear restrictions, you cannot legally mandate such restrictions according to the Magnuson Act.”
- “...if the big boats are going to be there I'd rather they get their scallops quickly and head back south.”

Support for Alternative 2 included:

- “...the NGOM is a unique and fragile environment and a smaller dredge (no more than 10 feet) would seem to help protect it.”
- “This area was created for the smaller boats to have a place to fish. I have been fishing in the NGOM with a 5.5 ft dredge and get my limit every day.”

Support for Alternative 3 included:

- “...this area is unique and we've seen that when too many scallops are taken too quickly from the NGOM at once, the resource doesn't bounce back. We want to be building something that can be sustaining for the long-term for the fleet in Maine, New Hampshire, and Massachusetts so that everybody can take advantage of this opportunity.”
- “While I recognize that larger vessels are used to using two large dredges on the offshore fishing grounds of Georges Bank, I don't think that that scale of effort is appropriate for the inshore waters of the Gulf of Maine. The scallops in the Gulf of Maine are currently concentrated in smaller areas and even if the biomass hits a point that allows the Limited Access fleet into this

area I am concerned about localized depletion of the scallop resource leading to long-term negative impacts on the local communities.”

### 3.1.2 Action 7-10 Alternatives

For Actions 7-10 (LAGC IFQ possession limits, LAGC observer compensation, IFQ transfers, and frameworkable measures), comments were from two industry organizations and seven people on behalf of themselves or their business, through five oral and five written comments (Table 8). Scallop fishermen who commented on these actions are in the LAGC IFQ-only fishery, the LA-only fishery, or own an LA vessel with IFQ plus IFQ vessel or CPH (Table 9). No fishermen with NGOM permits commented on these actions and just one shoreside support service and one other interested public did (Table 9).

**Table 8. Support for specific alternatives within Actions 7-10**

Alternative	People commenting on behalf of (#)		Comments (#)	
	Organizations	Themselves	Oral	Written
<i>Action 7 – IFQ Possession Limits</i>				
Alternative 1	0	2	1	1
Alternative 2, Option 1	0	3	1	2
Alternative 2, Option 2*	1	0	1	0
Alternative 3, Option 1	0	1	0	1
Other (access areas = 600, open = 800)**	0	1	0	1
<i>Action 8 – LAGC Observer Compensation</i>				
Alternative 2*	1	3	2	2
<i>Action 9 – IFQ transfer</i>				
Alternative 2*	1	2	2	1
Other (other transfers???)**	1	0	2	0
<i>Action 10 – Framework Measures</i>				
Alternative 2*	1	1	2	0
<b>Total commenters on Action 7-10</b>	<b>2</b>	<b>7</b>	<b>5</b>	<b>5</b>

\*Council’s preliminary preferred alternative. \*\*Alternative not currently in Amendment 21.

**Table 9. Support of alternatives in Actions 7-10, by primary stakeholder type**

Alternative	Scallop Fishery		Orgs.	Shoreside	Other	Total
	NGOM	LA & IFQ				
<i>Action 7 – IFQ Possession Limits</i>						
Alternative 1	0	1	0	1	0	2
Alternative 2, Option 1	0	2	0	0	1	3
Alternative 2, Option 2*	0	0	1	0	0	1
Alternative 3, Option 1	0	1	0	0	0	1
Other (access areas = 600, open = 800)**	0	1	0	0	0	1
<i>Action 8 – LAGC Observer Compensation</i>						
Alternative 2*	0	3	1	0	0	4
<i>Action 9 – IFQ transfer</i>						
Alternative 2*	0	2	1	0	0	3
Other (other transfers???)**	0	0	1	0	0	1
<i>Action 10 – Framework Measures</i>						
Alternative 2*	1	0	1	0	0	2
<b>Total commenters on Actions 7-10</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>9</b>

\*Council’s preliminary preferred alternative. \*\*Alternative not currently in Amendment 21.

**Table 10. Support of alternatives in Actions 7-10, by home state**

Alternative	ME	NH	MA	NJ	DC	Other	Total
<i>Action 7 – IFQ Possession Limits</i>							
Alternative 1	0	0	1	1	0	0	2
Alternative 2, Option 1	0	0	1	2	0	0	3
Alternative 2, Option 2*	0	0	0	0	1	0	1
Alternative 3, Option 1	0	0	1	0	0	0	1
Other (access areas = 600, open = 800)**	0	0	0	1	0	0	1
<i>Action 8 – LAGC Observer Compensation</i>							
Alternative 2*	0	0	1	2	1	0	4
<i>Action 9 – IFQ transfer</i>							
Alternative 2*	0	0	0	2	1	0	3
Other (other transfers)**	0	0	0	1	0	0	1
<i>Action 10 – Framework Measures</i>							
Alternative 2*	0	0	0	0	1	0	2
<b>Total commenters on Actions 7-10</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>9</b>
*Council’s preliminary preferred alternative. **Alternative not currently in Amendment 21. Note: “other” states are VA, FL, MO, AZ, VT and unknown.							

**Action 7 – LAGC IFQ Possession Limits.** Commenters on Action 7 supported a mix of alternatives. For Alternative 2, Option 2 (600 pounds in open areas, 800 pounds in access areas), the Council’s preliminary preferred alternative, comments in support were from one organization through one comment, but no rationale was provided (Table 6). Alternative 1 (No Action) was supported by one LAGC IFQ fisherman and one shoreside support service. Alternative 2, Option 1 (800 pounds for open and access area trips) was supported by two fishermen with an LA vessel with IFQ plus IFQ vessel or CPH and one other interested public, and Alternative 3, Option 1 (1,200 pounds for open and access area trips) was supported by one LAGC IFQ fisherman. One fishermen with an LA vessel with IFQ and an LAGC IFQ vessel also supported another approach not currently in Amendment 21: a 600-pound trip limit for access area trips and an 800-pound trip limit for open areas, but no specific rationale was provided.

Support for Alternative 1 included:

- “A higher trip limit will displace stakeholders and I think it will change the vision for the LAGC fishery. I thought the vision of the fishery changed when we went to IFQ in the first place, and I think it changed when the trip limit went from 400 pounds to 600 pounds, and all of those things had negative impacts to the fishery and displaced stakeholders.”
- “This increase is designed strictly to maximize the dollar value of a scallop per pound lease rate. That means real fishermen, many who had their permits taken away or received such a minimal quota due to their not fitting the prescribed qualifying time frame, have to lease quota from these robber barons who have no business even being in the fishing industry.”

Support for Alternative 2, Option 1 included:

- “...if the trip limit is increased in only access areas that it will increase derby-style fishing in the General Category sector.”
- “...allow them 800lb across the board, which offsets the hardships they abide by as day boats.”

Support for Alternative 3, Option 1 included:

- “...will help reduce the “derby” effect in the LAGC fleet, therefore encouraging safer fishing practices.”

**Action 8 – LAGC Observer Compensation.** All who commented on Action 8 specifically were in support of Alternative 2 (prorate additional compensation for trips over one day in 12-hour increments, capped at two days), the Council’s preliminary preferred alternative. This includes one organization and three people on behalf of themselves or their business, through four comments. The three individuals are LA and/or IFQ fishermen. No specific rationale was provided.

**Action 9 – IFQ Transfer.** Most who commented on Action 9 specifically were in support of Alternative 2 (allow temporary one-way transfers of quota from LA with IFQ to LAGC IFQ-only), the Council’s preliminary preferred alternative. This includes one organization and two people on behalf of themselves or their business in three comments. The two individuals are fishermen with an LA vessel with IFQ permit plus IFQ vessel or CPH. One organization commented in opposition to Alternative 2 and offered an idea that is not currently an Amendment 21 alternative – allowing LA vessels with IFQ to transfer quota to other LA vessels with IFQ.

Support for Alternative 2 included:

- “...it would give the General Category some more pounds that they can use, and it will give Limited Access vessels more flexibility in being able to transfer it down.”

Opposition to Alternative 2 included:

- “I do not think that [Alternative 2] ...is legal under the authority of the Magnuson-Stevens Act. ... Limited Access with IFQ vessels should be allowed to transfer quota with other Limited Access with IFQ vessels.”
- “Action 9 certainly discriminates against my southern boats...”

**Action 10 – Framework Measures.** All who commented on Action 10 specifically were in support of Alternative 2 (expand list of measures that can be addressed through specifications and/or framework adjustments). This includes one organization and one person on behalf of themselves or their business in two comments. No specific rationale was provided.

## 3.2 OTHER COMMENTS

Concerns about Amendment 21:

- “[Vessels from North Carolina] got cut out of the IFQ fishery because of the years that the NEFMC picked as qualifying years.” And other concerns that this amendment is not helping southern vessels. – *industry organization*
- We note that the movement between LAGC A and LAGC B/C permits means that there could be a possible explosion of activity in the NGOM in the future, creating more issues that the Council will have to deal with in a following action. – *industry organization*
- “None of the actions in Amendment 21 address the recent Presidential Executive Order—there is nothing in Amendment 21 that addresses aquaculture.” – *industry organization*

Other Concerns:

- “The Limited Access fishery also has other problems its dealing with like gray meats, scallop disease, parasite issues, and we’ve also got offshore wind energy coming in on our fishing grounds.” – *scallop fisherman*

- “Given how disastrously Covid has impacted restaurants, particularly small owner-run establishments, I would think you'd want to do everything you could to ensure a supply of local seafood.” – *other interested public*
- “...with lower prices at wholesale due to lower demand with restaurants and the hospitality industry shut down as a result of COVID-19, we were able to offer a higher price to the boat while also providing amazing, high quality scallops to consumers in southern Maine” - *shoreside support*

#### Wishes for Future Management

- “I hope the Council will enact specific NGOM management measures to protect it as the resource recovers, because the stocks off Machiasport and Mt. Desert and the numerous other beds that will crop up in the northern parts of this area cannot withstand typical DAS fishing.” – *shoreside support*
- “If LAGC IFQ vessels were allowed to catch a weekly limit of 4200 pounds, this would greatly reduce costs to the vessel (fuel, etc.), and environmental impacts. This would also allow me to hire additional crew, therefore creating more jobs in the community.” – *scallop fisherman*

## 4.0 COMMENT SYNTHESIS METHODS AND SOFTWARE

All comments received during the public comment period are summarized here. This includes the written comments and summaries of each hearing that contain close (but not exact) transcriptions of the oral comments. All comments were converted into text-searchable formats and imported into a *QSR NVivo 10* project for sorting and synthesis. Within the *NVivo* project, a “person node” was created for each person or organization who signed a letter or spoke at a hearing, and these nodes were organized by stakeholder type. Each person or organization was classified by demographic attributes such as home state, stakeholder type, comment type (oral and/or written), and number of comments (Section 2.0). Stakeholders were grouped into the following categories: scallop fishery (with sub-groups based on permit categories), non-governmental organizations, shoreside support services and other interested public (including U.S. Congressional Representatives). A primary stakeholder type was assigned for a few commenters who represent multiple stakeholder types. For example, a scallop fisherman with a shoreside support business was assigned as shoreside support based on his choice of letterhead used for the comment. The text of each comment was assigned (i.e., coded) to the appropriate “person node.”

“Theme nodes” were then created for each of the Amendment 21 alternatives. As the comments were carefully read, text that stated support for a given alternative was highlighted and coded to the appropriate theme node. Additional themes were created and coded for, such as ideas for other alternatives not in Amendment 21 and what people thought were current issues facing the fishery. After all the comments were coded to persons and themes, the software was used to identify how many comments and people commenting supported a specific issue and the stakeholder type of the commenters, as reported in Section 3.0. To identify the rationale for supporting a given alternative, the text coded to its respective theme node was read carefully. Bullets points were created that represent the range of rationale but are listed here in no order. Many bullets use direct quotes to capture the flavor of the comments.