

SCALLOP AMENDMENT 21
WRITTEN PUBLIC HEARING COMMENTS

8/29/20

Amendment 21
comment

Preferred alternative :

Increase **Limited Access General Category IFQ possession limits** to 800lb for access areas and maintain the 600lb possession limit for open area trips.

I strongly believe the LAGC vessels are consistently short changed for reasons unknown to me ,along with most LAGC fisherman. The stocks are strong, however there is great difficulty allowing just a slight bit more equity in the fishing limit for this category of scallopers. We had 3 day boat options floated last spring, plus one weekly option. Now the preferred result becomes the smallest option with a brush cut on top of that option. If the council believes they are satisfying the LAGC fisherman,using the 800lb alternative for access areas ,while revert back to 600lb for open areas, they are sadly mistaken. I am adamantly opposed to requiring the vessel adhere to 600lb in open area, allow them 800lb across the board, which offsets the hardships they abide by as day boats.

Thank you,
Jim Spalt

From: Arthur Hagopian [mailto:arthurhagopian@comcast.net]
Sent: Friday, September 04, 2020 6:32 AM
To: comments <comments@nefmc.org>
Subject: Amendment 21 Preferred Alternatives

Director Tom Nies
New England Fisheries Management Council

Dear sir,

We have enjoyed day boat scallops for years now and we love getting scallops caught by small boats who fish the Gulf of Maine. We can absolutely taste the difference. I hope you'll select the preferred alternatives in Amendment 21 so we can continue eating these fresh scallops all summer long rather than having them for a few weeks in April and May."

Respectfully,
Arthur M Hagopian
Boston, Massachusetts

From: ann norton [mailto:anntnorton@gmail.com]
Sent: Thursday, September 03, 2020 8:16 PM
To: comments <comments@nefmc.org>
Subject: Scallop Amendment 21

Tom Nies
Executive Director
New England Fisheries Management Council

September 3, 2020

Dear Director Nies,

I am writing in support of the preferred alternatives in Scallop Amendment 21 for the Northern Gulf of Maine (NGOM) Scallop Management Area.

I live on Long Island in Casco Bay, outside of Portland, Maine. I love watching the scallops being harvested by local boats, knowing I'm going to be able to enjoy them that same night, delivered door to door by island families. The flavor and quality are incomparable, and they maintain their quality after many months in the freezer. People I've given them to are always thrilled with them. Last year I gave some to a friend whose brother was battling cancer, and her brother said they were the best scallops he had ever had. It meant a lot to me to have brightened his day.

Most importantly, scalloping is an important source of revenue for Maine coastal families during the winter and spring months. Scalloping is an important part of the life of many Maine communities, and the benefits ripple far beyond the towns where they're harvested.

I hope you will support Maine's day scalloping boats and families when you make your decision about this important issue. Many Mainers are counting on you.

Thank you for your time.

Sincerely,

Annie Norton
Long Island

From: Alex Todd [mailto:alextodd207@gmail.com]
Sent: Friday, September 04, 2020 11:50 AM
To: comments <comments@nefmc.org>
Subject: Fwd: New language

Sent from my iPhone

Begin forwarded

Dear Tom

I'm writing to support the preferred alternatives for the Northern Gulf of Maine (NGOM) in Amendment 21.

I'm a 10th generation fisherman from Chebeague Island. On my boat the Jacob and Joshua (NGOM permit #242848. I've fished for groundfish, shrimp, pogies, tuna, lobster and scallops. I've fished for scallops in the NGOM for years on my boat and I fished the Gulf of Maine with my father and brother Back in the early 89's. Scallops are an important part of my income, which is why Amendment 21 is so important to me.

Maine fishermen have always fished for lots of different things, or at least they used to: nowadays Mother Nature and regulations have made that a bit tougher. But that's why the NGOM is important: this area was created because the Council realized how crazy it would be to deny me access to scallops in my own backyard simply because they weren't there for the four years they chose to determine IFQ percentages in Amendment 11.

I hear guys saying we "didn't qualify" in Amendment 11. I respond this way: we not only qualified, the Council went so far as to *create an entirely new management area* just to make sure we'd keep our access. Our permits deny us access south of 42 20 and they're supposed to preserve our access north of it. My NGOM permit is supposed to let me keep fishing in the Gulf of Maine because that's where I've always fished. So I'm confused: the Council created the NGOM so I could keep access to scallops in the area I've always fished, but now that they're recovering, guys are saying we don't deserve a good chunk of Gulf of Maine scallops because Gulf of Maine scallops are the only ones we've ever landed? Doesn't that directly contradict the reason the NGOM was created?

The question of access to the Gulf of Maine was already decided with Amendment 11. I don't know how the final numbers will tally up, but the Council's intent 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. 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.

Back in 2008 most of the guys arguing for access here didn't care about the NGOM - they were busy trying to pick the qualifying years that benefited them or arguing over how to divvy up scallops on Georges and the Mid Atlantic. But guys like me have always cared about the Gulf of Maine: that's why we've been attending meetings for the past 10 years asking the Council to improve NGOM management. I'm thankful this issue will finally be resolved with Amendment 21 because I'd much rather fish than drive 5 hours each way to sit through an all-day scallop meeting.

I fished the NGOM when I was one of the only boats out there back before this stellwagen burst. and I fished it back in 2017 when you I was a flea in amongst the pack of big dogs on middle bank. I'm glad the resource is coming back, and I'm glad the Council created the NGOM so boats like mine would have a future fishing for scallops, just like generations before us have done and just like the generations to follow will do if the Council makes the right choice here.

I've met a lot of big boat guys at the meetings and I know they're decent guys. I understand they're worried about what will happen if scallops move north. But the NGOM wasn't created so they'd have a trump card in their back pocket. It was created so I wouldn't lose access to the grounds my family has fished for generations. I think the preferred alternative is a great compromise: it ensures we get access to the resource as it rebuilds, but then if there's some huge shift in population, the big boats will get the lion's share. How is that not a good solution?

I also support the preferred alternatives for the research set-aside - scallops from the NGOM should go towards helping us understand what's happening with the resource. And I believe monitoring is important too so I'm all for that. When it comes to dredge size I'm fine with not having an additional dredge size restriction - if the big boats are going to be there I'd rather they get their scallops quickly and head back south. As for seasons I definitely prefer the alternative of No Action: I don't want to be told when I can fish - I'd rather that's left up to me.

To end, I'd like to thank the Council for taking the time to finally fix management in the NGOM. I've been to a lot of meetings over the years to argue for this and there was a time I didn't think it would ever happen. I know the NGOM isn't important to a lot of people, but it's very important to me, and I'm thankful the Council is taking steps to ensure my family's history of fishing here can continue for generations to come.

Yours truly,

Daniel "Alex" Todd
F/V Jacob and Joshua
Permit # 242848

September 4, 2020



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

Re: Atlantic Sea Scallop Amendment 21 Public Comment

Dear Director Nies,

The Maine Coast Fishermen's Association (MCFA) identifies and fosters ways to restore the fisheries of the Gulf of Maine and sustain Maine's iconic fishing communities for future generations. Established and run by Maine fishermen, the objectives of MCFA are to provide a voice for our fishing communities, to rebuild the Gulf of Maine ecosystem, and to support diverse fishing businesses throughout Maine. As such, we write today to comment on Amendment 21 to the New England Sea Scallop Fishery Management Plan.

In 2007, the New England Fishery Management Council created Amendment 11 to the Scallop Fishery Management Plan, which established the limited access general category (LAGC) permit categories. It was stated in Amendment 11 that the Council's vision for the LAGC fleet (which included NGOM permits) was,

"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."

As part of this vision, the council created the Northern Gulf of Maine management area.

In fisheries, there has been a slow progression towards limiting access to permits. For scallops, this began in the 1990s with Amendment 4 and continued into the 2000s through Amendment 11. At each juncture in limiting future access, a decision was made based upon catch. Unfortunately, throughout this time period, the biomass of scallops in the Gulf of Maine was almost nonexistent, leaving those who were from Maine, New Hampshire and Northern Massachusetts without the necessary catch to qualify. In an attempt to ensure that those boats who were disenfranchised due to a lack of scallops in local waters weren't locked out of the fishery forever, the Council established the Northern Gulf of Maine management area. There was clear intent in that action and profound foresight by those involved in establishing this small area to protect access for those fishermen from northern communities in New England.

Now that scallops have begun to return to the Gulf of Maine, we are asking that the council reaffirm the intent of this management area by preserving access for the General Category permit holders. An important step was taken by the council through Framework 29 after massive unconstrained and unaccounted for catch was taken out of the area, and we firmly believe that if we wish to create a sustainable and diverse fishery in the Gulf of Maine that Amendment 21 is crucial to that success.

As stated in the document, the goals and objectives of Amendment 21 are to:

- 1) *Support a growing directed scallop fishery in federal waters of the NGOM.*
- 2) *Allow for orderly access to the scallop resource in the area by LAGC and LA components.*
- 3) *Establish mechanisms to set allowable catches and accurately monitor catch and bycatch from the NGOM.*

We believe that the preferred alternatives selected by the New England Fishery Management Council at the June Council meeting accomplish these goals and objectives with one suggested change, which we believe is important to help meet objective one: “*support a growing directed scallop fishery in federal waters of the NGOM.*”

Below are our recommendations for the final decision on Amendment 21.

- 6.1.1 NGOM Management Measures:** MCFA supports the preferred alternative that would add the NGOM into the flow chart, as it is better for the overall fishery.
- 6.1.2 NGOM Allocations:** MCFA supports the preferred alternative from The Council. Alternative 2 Option 2 creates a NGOM set-aside trigger of 600,000 pounds; pounds over the trigger would be split 25% for the NGOM set-aside and 75% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL. This allocation split will allow for shared opportunity and create incentives for all parties who wish to fish in the Gulf of Maine to manage it for growth.
- 6.1.3 Monitoring directed scallop fishing in the NGOM:** MCFA supports alternative 2, which will create an industry-funded observer program for the NGOM. MCFA is in year two of an Electronic Monitoring project funded by the National Fish and Wildlife Foundation as we believe that electronic monitoring 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.
- 6.1.4 Support Scallop Research Using Scallops from the NGOM:** MCFA supports Option 4, which would allocate 25,000lbs of the NGOM allocation to increase scallop RSA and support RAS for the overall scallop fishery.
- 6.1.5 NGOM Fishing Season:** MCFA supports the no action alternative for the NGOM fishing season. 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.
- 6.1.6 Cumulative Maximum Dredge Size.** MCFA does not support the Council’s preferred alternative and instead supports Alt 3. Alternative 3 will limit combined dredge width to 15.5 feet. While larger dredges are necessary for the offshore fishing grounds of Georges Bank, the patchiness of the Northern Gulf of Maine means that any extreme localized depletion of scallops could have long-lasting impacts to specific communities throughout the management area. MCFA advocated for areas of Stellwagen Bank to be closed to fishing this year when a high abundance of small scallops was identified. Until we have more robust data on what the biomass looks like in the Northern Gulf of Maine, there is a threat from disruptive impacts on our inshore fishing grounds. In order to meet objective 1 of this Amendment (*support a growing directed scallop fishery in federal waters of the NGOM*) MCFA suggests that a limit on dredge size be established while we

are still learning about the capacity of the NGOM area and then ask that the Council reexamine this decision at a future time.

Thank you for the opportunity to make these comments.

A handwritten signature in blue ink that reads "Ben Martens".

Ben Martens
Executive Director

From: Beth Gronros [mailto:bgronros@hamiltonmarine.com]

Sent: Friday, September 04, 2020 3:22 PM

To: comments <comments@nefmc.org>

Subject: Scallops Amendment 21 Public Comments

To whom it may concern:

Hamilton Marine supplies the Maine scallop industry and its fishing fleet. Keeping fishing in Maine is vital to the local communities and businesses who help support them.

Thank you for your time,

Beth Gronros

On behalf of Hamilton Marine, Inc.

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From: CARL ANGELL [mailto:changell5@comcast.net]
Sent: Thursday, September 03, 2020 4:55 PM
To: comments <comments@nefmc.org>
Subject: Scallops Amendment 21

Dear Tom Nies,

I grew up in North Falmouth, Ma, a small town on Cape Cod. My friend dove in Rand's Pond and brought up some scallops. They were more than delicious. But Dad died, Mom got cancer and the two of us moved to St. Louis to be where Mom grew up. I was 8 when I left the Cape.

The fresh taste of day boat scallops brings back those wonderful days on the Cape. Please do not shorten the season.

Sincerely,
Carl Angell

From: Chuck Sandner [mailto:crs0149@gmail.com]
Sent: Thursday, September 03, 2020 5:18 PM
To: comments <comments@nefmc.org>
Cc: Togue Brawn <togue@downeastdayboat.com>
Subject: Scallop Amendment #21

I am writing to your organization on behalf of the Gulf of Maine dayboat scallopers. I live now in Florida, but for most of my life, lived in Boston and Brownfield Maine. And I am coming back, so be afraid. Living in Maine, I was always able to purchase the best scallops in the winter from the dayboaters from Maine. And now that I live here in Florida, the Maine dayboaters are my only source of extremely fresh scallops. I kindly ask that you continue to make the Maine dayboaters a priority. I sincerely thank you in advance!

From: Casco Bay Seafood [mailto:cascobayseafood@gmail.com]
Sent: Friday, September 04, 2020 10:46 AM
To: comments <comments@nefmc.org>
Subject: Atlantic Sea Scallop Amendment 21 Public Hearing Comments

Dear Director Nies,

I'm writing to ask you to support the preferred Northern Gulf of Maine (NGOM) alternatives in Amendment 21.

We formed Casco Bay Seafood this spring to support our commercial scallop fishermen from Maine who fish the NGOM season. We did it out of necessity -- 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. We did direct to consumer sales nearly every day in Portland, Maine and once a week at a farm in Cumberland. Over the duration of the NGOM 2020 season, we sold nearly 8,000 lbs of scallops, almost entirely in 2 lb bags.

Consumers here loved it. They supported us and helped us grow our business. It was incredible -- and people are already excited about next season. They want to support local fishermen and they wanted to learn about the fishery. We've had an amazing time educating people about our industry and connecting them to their food source.

The Council developed the Northern Gulf of Maine Scallop Management Area so fishermen in the northern Gulf of Maine who historically fished for scallops when they were available would be able to continue to do so. Now that the resource seems to be recovering, it seems only right that the Council select the alternative that allows the NGOM to serve the purpose for which it was created.

I urge you to support the preferred NGOM allocation alternative in Amendment 21 (600,000 pound NGOM set-aside and tiered sharing approach). This alternative will ensure the fishermen we work with are able to take part in the NGOM fishery as it rebuilds, providing much-needed economic opportunities for island and coastal communities in Maine. This alternative will also allow fishermen from other areas to access the scallop resource as it continues to grow. It's a fair compromise, and given the reason the Council created the NGOM, it seems like the most responsible choice.

I also urge you to select the preferred options for a season (no mandated seasons) so fishermen can choose for themselves when to harvest scallops, and to support the preferred options for monitoring and research in the NGOM so we can base future management decisions on the best available science.

Thank you for supporting the preferred NGOM alternatives in Amendment 21.

Best regards,

Annie

Annie Tselikis
Casco Bay Seafood
207-200-7857
www.cascobayseafood.com



Jared Golden
Congress of the United States
2nd District of Maine

September 4, 2020

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

Dear Director Nies:

I would like to take this opportunity to comment on the proposed Amendment 21 to the Atlantic Sea Scallop fishery management plan being considered by the New England Fisheries Management Council (NEFMC). As the representative of Maine's 2nd Congressional District, I care deeply about our fishing industry and the communities it supports. While Maine is known for its lobsters, many of our small boats participate in the scallop fishery during the winter. We must protect, steward, and preserve the federal scallop fishery for vessels who have traditionally harvested scallops in the Gulf of Maine.

Within Amendment 21, the issue of greatest importance for Maine scallop fishermen is section 4.2, which would determine how the overall Northern Gulf of Maine (NGOM) scallop landing limit would be split between different classes of fishing vessels. The NEFMC's preferred alternative is Alternative 2 Option 2, which would create a set-aside for NGOM permit holders, who are local fishermen in generally small boats. The entire allocation would be set aside for local vessels if the allocation is 600,000 pounds or less, and then any additional allocation above that level would be split between local vessels and other vessels according to a tiered formula.

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.

For these reasons, I support the NEFMC's preferred Alternative 2 Option 2 to the allocation split in Amendment 21, and urge its adoption. If you have any questions, please contact Eric Kanter in my Washington, D.C. Office at Eric.Kanter@mail.house.gov.

Respectfully,

A handwritten signature in blue ink that reads "Jared F. Golden".

Jared F. Golden
Member of Congress

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

Re: Atlantic Sea Scallop Amendment 21 Public Hearing Comments

Dear Director Nies,

My name is Gerry Cushman and I am a fisherman out of Port Clyde Maine, I fish for a wide range of species including groundfish, lobsters, and scallops. My family has been fishing out of Port Clyde for five generations and I hope that another five generations after me will have the opportunity to have this career and life that I love so much. I am writing to weigh in on Amendment 21 to the Scallop plan because having opportunities to participate in fisheries close to home is what keeps our community alive. We have seen so much loss to the small boat fishery, not just Maine, but all of New England, and this Amendment is an important opportunity to protect and preserve access to something for small boats, while still allowing the entire fleet appropriate access once there are enough scallops in the Northern Gulf of Maine Management Area to support a larger directed fishery.

In Amendment 11, the Northern Gulf of Maine permit and management area was established to preserve access and opportunity for the small boats of northern New England. This was done because we didn't have any scallops around when allocations and limited access permits were created. Often, future access is overlooked when creating management, the Northern Gulf of Maine permit and management area was one of the few times that the Council recognized that the decisions being made were disenfranchising one set of fishermen and set up an opportunity to allow access at a future point.

The Northern Gulf of Maine management area has successfully accomplished what it was created for. Thank you for all your hard work on this Amendment and we are excited to work with you to ensure a successful future of the fishery in the Gulf of Maine.

Below are my comments regarding the alternatives within A21.

6.1.1- NGOM Management Measures:

I do not have a preference for this alternative. If adding it into the flow chart is better for the overall fishery and management then I am fine supporting the Council's preferred alternative.

6.1.2 NGOM Allocations:

I support the preferred alternative from The Council. Alternative 2 Option 2 creates a NGOM set-aside trigger of 600,000 pounds; pounds over the trigger would be split 25% for the NGOM set-aside and 75% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL. This allocation split will allow for shared opportunity and create incentives for all parties who wish to fish in the Gulf of Maine to manage it for growth. The NGOM cannot be treated like other offshore fishing grounds and this model for management supports those important differences. 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. This option is a good compromise and I support it.

6.1.3 Monitoring directed scallop fishing in the NGOM:

I support alternative 2 which will create an industry funded observer program for the NGOM. I have been involved in the electronic monitoring work within the groundfish fishery and believe strongly that this is an important part of our future. I am excited to see that this is being tested for scallops, as small boats have a hard time taking additional observers, and I believe that electronic monitoring will reduce costs and make the fishery better managed.

6.1.4 Support Scallop Research Using Scallops from the NGOM

I support Option 4 which would allocate 25,000lbs of the NGOM allocation to increase scallop RSA and support RAS for the overall scallop fishery. We need better data to properly manage this fishery and we hope to work with the Council to create best practices for data collection in this area.

6.1.5 NGOM Fishing Season:

I support the no action alternative for the NGOM fishing season. 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.

6.1.6 Cumulative Maximum Dredge Size.

I support Alt 3. Which would limit combined dredge width to 15.5 feet. 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.

Thank you for considering my comments and for helping protect the future of the Gulf of Maine scallop fishery for all fishermen.

Sincerely,

Gerry Cushman

F/V Bug Catcha

From: Daniel Hildreth [mailto:DHildreth@divcom.com]
Sent: Thursday, September 03, 2020 9:42 AM
To: comments <comments@nefmc.org>
Subject: Scallop Amendment 21

Thomas Nies, Executive Director
New England Fishery Management Council

Dear Mr. Nies:

I am the Board Chair of my family's business, Diversified Communications, which is based in Portland, Maine. We produce trade shows and conferences, including two large events for the seafood industry, Seafood Expo North America (in Boston) and Seafood Expo Global (in Barcelona).

Being from Maine, I have followed the fortunes of various sectors of our seafood industry over the years. My understanding is that scallop fishermen from our state harvesting in coastal waters have been placed at a disadvantage in the past due to inequitable decisions made by the New England Fishery Management Council.

I'm writing to urge the NEFMC to support the preferred alternative for allocation of scallop harvest in the Northern Gulf of Maine (option 2 with a 600,000 pound NGOM set-aside and tiered sharing approach) in Amendment 21. It seems to me this alternative would help redress past inequities in allocation and provide reasonable access to the resource for fishermen from all over New England going forward.

Thank you for the NEFMC's consideration of this matter.

Sincerely,
Daniel Hildreth



Daniel Hildreth
Board Chair

PO Box 7437
Portland, ME 04112
207-842-5665 | www.divcom.com

-----Original Message-----

From: Damian Parkington [mailto:dmob75@yahoo.com]

Sent: Friday, September 04, 2020 11:06 AM

To: comments <comments@nefmc.org>

Subject: Scallop amendment 21

Thank you for the opportunity to comment on the proposed amendment to the scallop management plan.

I am the owner and majority operator of both IFQ and NGOM licensed vessels, I have gained means to acquire these boats and licensure by the finance and experience of my work on deck in both LAGC and LA Vessels and have scalloped steadily since 2003.

I have not been grandfathered into any scallop permitting or allocation , and have overtime been able to purchase access into the fishery. I consider myself a successful fisherman and yet consistently have struggled to grow within the fishery the last 17 years. IFQ quota values soared long before I was in a financial position to purchase pounds, let alone invest in a qualifying permit to risk the fluctuations of the open quota lease market. A properly managed NGOM area will benefit many fisherman like myself and better yet offer opportunity to future small boat fishermen and their communities.

I view amendment 21 as an opportunity to integrate sustainable growth for the sector of both young and now aging fishermen who were not grandfathered or whom did not meet specific criteria, or who simply thought they may do better fishing their backyard as they always had.

Reserving 94.5 % of the entire fishery for LA interests, much of which has been solidified under a few companies, seems incongruous with the initial directive forming the NGOM area.

I Strongly support the recommended alternatives, and am hopeful that resulting management grows a healthy fishery In the NGOM supporting many.

Sincerely,

Damian Parkington

FV Roen Keil

FV Clean Sweep

Provincetown, Ma

Sent from my iPhone



September 4, 2020

Dear Director Nies:

I'd like to thank the Council for having the foresight to establish the Northern Gulf of Maine Scallop Management Area. Since many fishermen will be submitting comments outlining why this area is so important and why their communities should experience the benefits of its recovery, I'll focus my comments on one important question:

Why was the Northern Gulf of Maine Scallop Management Area created in the first place?

- Was the 42 20 line delineated so the LA DAS fleet would have room to expand north if climate change pushed scallops to cooler waters?
- Was it created so today's Council would have the great honor of "giving" a small percentage of Gulf of Maine scallops to boats from communities *whose fishermen had harvested the majority of them for generations?*
- Was it created to handicap the small boats that fish here with a 200 pound limit so the LA DAS fleet could take 1.7 million pounds off one small area of Stellwagen before the fishery could legally be closed?

I would argue it was not.

But you don't have to take my word for it, because the Council clearly articulated why they created the NGOM Management Area, as shown in the following excerpts from pages *vii* and *ix* of the preamble to Amendment 11:

- *this fishery was traditionally fished, to a very large extent, by small boats that were engaged in other fisheries such as the lobster or groundfish fisheries during different seasons and that fish only seasonally for scallops. As a result, the Council considered local access to the scallop resource by small vessels important to the continuation of fishing communities in Maine New Hampshire and Massachusetts.*
- *Finally, boats from outside the GOM historically fished in this area only when scallops were depleted in other areas and abundant in the GOM. More recently, the improved management and abundance of scallops in the major resource areas on Georges Bank and in the Mid-Atlantic region has made access to GOM scallops less important for the limited access boats and general category boats from other regions. As a result, a separate management program for scallops in the NGOM is unlikely to have any impact on these vessels.*

Amendment 11 doesn't explicitly articulate how scallops in the NGOM should be divided among permit categories because it's assumed it didn't need to. Its intentions are very clear: the expectation was that the majority of NGOM scallops would be harvested by the small boats that traditionally fished the area. If you disagree, I would ask you to re-read the above excerpt and ask yourself: **Does it sound like the Council intended to give the majority of scallops in the Gulf of Maine to the Limited Access fleet while the resource on Georges Bank and in the Mid Atlantic still flourishes?**

I understand the LA fleet is worried about what might happen if climate change pushes the resource north and their traditional grounds are depleted. But the preferred alternative *accounts for that possibility* by giving 75% of scallops in the NGOM to the LA fleet after 600,000 pounds and 95% after 3 million pounds. If the resource truly

Downeast Dayboat 26 Court Street Bath, ME 04530 207.838.1490
www.DowneastDayboat.com

shifts, they'll get the lion's share. I believe we should allocate even more scallops to the initial NGOM set aside but a compromise is a compromise, so I support the preferred allocation option 2.2.

In the debate over allocation we've overlooked another important issue: the Council established a 200 pound limit partly because they wanted to keep this a small fishery as it had traditionally been, but also because scallops in most parts of the Gulf of Maine are patchy and very prone to overfishing, as noted in the following reference:

- *The sea scallop has been characterized by irregular abundance in most areas of the (Maine) coast and this probably results from biological and environmental factors. This variability has tended to generate cyclic fisheries in which the discovery of a large population of harvestable scallops leads to a rapid expansion of the fishery and the subsequent depletion of the stock. This variability occurs in both inshore and offshore areas; the 1975-76 scallop fishery in the Castine area of Penobscot Bay and the 1979-80 fishery off Jeffreys Basin are examples of the rapid expansion and harvesting of newly discovered scallop beds.* (Final Amendment 11 including FSEIS, page 161)

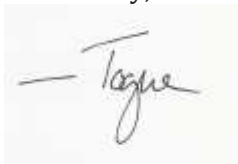
With all the excitement over scallops at the southernmost boundary of the NGOM Management Area we've ignored an important fact: in addition to ensuring access for local boats, this area was also set aside as a separate management area because it's particularly vulnerable. It is very patchy and can be wiped out quickly. Although small boat fishermen everywhere complain about big boats wiping out inshore stocks, the stocks in the NGOM are not like those off Southern New England or the Cape that are serially depleted every few years: scallops off the coast of Maine are likely to wait a good 30 or 40 years before they recover from being overharvested. And the DAS management system does nothing to prevent the extinguishing of local beds.

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. And to that end, the more scallops you can set aside for small boats, the better. In 2017 we witnessed what happens when small boats tap away 200 pounds at a time while large boats fish under DAS alongside them. It's not pretty, and the NGOM cannot support it long-term. We've learned a lot about management in the 40 years since the NGOM last bloomed: I hope we put it to good use to prevent a burgeoning recovery from being extinguished by failure to anticipate and plan for the inevitable consequences of double dredge vessels fishing on a patchy resource. While I like the idea of requiring all vessels to fish with a single 10' dredge, if the big boats are going to fish here it probably makes sense to let them get their quota quickly and return to more familiar waters. So I don't have a preferred dredge size alternative. I do support the preferred alternatives for research and monitoring as we need to address the paucity of data in the NGOM Management Area.

In closing, I would like to address one other false statement I've heard repeatedly, which is that the NGOM boats "didn't qualify". If they "didn't qualify" **Why was the Northern Gulf of Maine Scallop Management Area created in the first place?** It was created because **it would be paradoxical to prevent fishermen who had always fished the Gulf of Maine from fishing in the Gulf of Maine because they had always fished the Gulf of Maine.**

A lot happened south of 42 20 between 1990 and 2008. But not here. And the Council realized it would be absurd to base future GoM scallop fishing opportunities on what boats up here did for four years in the middle of a scallop drought. The Council created the NGOM Scallop Management Area for a purpose. I urge you to let it achieve that purpose by approving the preferred options in Amendment 21. And I also urge you to keep a close eye on the NGOM Scallop Management Area, as it cannot be managed with the broad brush used south of 42 20. Thank you so much for addressing this important issue.

Yours truly,



Togue Brawn

Downeast Dayboat 26 Court Street Bath, ME 04530 207.838.1490
www.DowneastDayboat.com

From: B&C Seafood [mailto:bcseafood@aol.com]
Sent: Thursday, September 03, 2020 10:26 AM
To: comments <comments@nefmc.org>
Subject: Scallop Amendment 21

*Ed Mullis, GM
B&C Seafood, Inc.
205 Jefferson Ave.
Newport News VA 23607*

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

Dear Mr. Nies,

I sit on the Sea Scallop Advisory Panel and have been involved in this discussion for quite some time now. Regarding this proposed 600,000 pound set aside and a 75/25 split for NGOM vessels. Scalloping by the NGOM fleet has historically been a seasonal and episodic fishery, and these vessels are able to pursue their main fishery throughout the year. Full-Time scallop vessels only target scallops, as you know. Allowing a 600,000 pound set aside with a 75/25 split would grant the NGOM vessels an excessive share and change the nature of their fishery. Which, in my opinion, is in direct conflict with Magnuson-Stevens Act National Standard 4 that governs allocations of fishing privileges, and requires these allocations to be fair and equitable, promote conservation, and NOT create excessive shares.

In addition The council should be aware of the incentives that could very possibly occur. Upwards of 340 permits can qualify for the NGOM, but currently only 40 vessels are active. Creating incentives to activate hundreds of permits is not consistent with the Scallop FMP's long time goals and objectives to ensure a manageable fishery with controls on entry, based on fishing history.

Also, an allocation such as the proposed would eliminate the Limited Access fleet from meaningful access to its historic grounds in the NGOM in all but the most exceptional years of abundance. The Limited Access fleet should be allowed meaningful access to the NGOM under accustomed cycles of abundance as well.

Respectfully Yours,

Ed Mullis

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From: George Bamford <gbamford74.gb@gmail.com>

Sent: Wednesday, September 2, 2020 1:19 PM

To: comments <comments@nefmc.org>

Subject:

I agree with the scallop committee on the amendment 21 it allows for growth and if we see a surge in active license it will help to off set it .

From: Julie Miller [mailto:jamiller54@icloud.com]
Sent: Friday, September 04, 2020 2:58 PM
To: comments <comments@nefmc.org>
Cc: Ben Martens <ben@mainecoastfishermen.org>; togue@downeastdayboat.com
Subject: Fwd: Atlantic Sea Scallop Amendment 21 Public Hearing Comments

Begin forwarded message:

From: Julie Miller <jamiller54@icloud.com>
Subject: Atlantic Sea Scallop Amendment 21 Public Hearing Comments
Date: September 3, 2020 at 10:54:37 PM EDT
To: Ben Martens <ben@mainecoastfishermen.org>, togue@downeastdayboat.com

Dear Director Nies,

My name is Ira "Tad" Miller, I own the F/V Julie Ann as well as the F/V Mallery Sky. I'm sixty years old and have been involved in commercial fishing since I was in fourth grade and started hauling my own lobster traps. I live in Tenants Harbor, Maine and Matinicus Island and continue to make my living commercial fishing as does most of my family on both my wife's and my side as we have in a lot cases of our families for generations. I would like to thank yourself, your staff and the entire Council for addressing these important issues regarding the Northern Gulf of Maine scallop fishery.

I hope this process will help to cement the participation of the communities and their fleets of mostly smaller vessels along the entire Gulf of Maine as not only important but moreover an intergal part of this fishery. These boats are tied to the shoreline that borders the Northern Gulf of Maine as direct stake holders, We care for the wellbeing of this area like no others can that don't have the same ties to it as we do. There are other cases in U.S. fisheries policy where there has been a value associated with protecting the right of access to fisheries for those whom live upon their shores. We have a long standing history of participating in the scallop fishery both near and offshore as well. I can attest to that as I personally have been involved in scallop fishing in what is currently referred to as the NGOM. I have scallop fished downeast Maine, Platts, Phippenies, Jefferies Ledge, Stellwagen as well as the backside of Cape Cod at various times throughout my fishing career since I started full-time in 1979, as have many others before and after me. You don't have to take my word on it though as records will show that Maine landed 3.8 million pounds in 1981 and that was based on voluntary information that was reported to NMFS port agents of which to the best of my recollection there were only two in the State of Maine at the time. One in Rockland (Pete Marcoon) and the other in Portland. There were many other landings occurring at that time as in the ports like Tenants Harbor you'd be lucky to see a port agent 2-3 times a year.

The time frame that was picked for qualifying years could almost not have been worse for the boats that had historically fished in the NGOM area as the fishery was in a state of collapse. The small boat fisheries did then as they always had and they stayed versatile and moved into other fisheries as they always had, only at this time they could not move back into the scallop fishery

and make a living doing so. When you're faced with those types of business decisions you must do what's best for your families and businesses. This is also the best thing that can happen for resource when it's in a state of collapse to have the fleet stop fishing on that resource. During most of the years I scallop fished in the places I named above the presence of larger full time boats was practically none existent, they couldn't make it worth their while to fish those places for all but a select few years. So to sum this up I'd say that the current NGOM permits (and others that have gone away) have ample history scallop fishing in what is now referred to as the NGOM.

I'm asking you to support the preferred alternatives in Amendment 21 pertaining to the Northern Gulf of Maine.

6.1.1 I support the incorporation of the NGOM into the flow chart and including the exploitable biomass into the overfishing limit.

6.1.2 I support the set aside of 600,000#s for NGOM permit holders to start with then the 25% for the NGOM set-aside and 75% for the NGOM APL up to 3,000,000#s, then a 5% NGOM set-aside and 95% for the NGOM APL. This is a middle of the road proposal the way I see it. Realistically I believe we should more and on the flip side others think we should have less. 600,000#s is a relative drop in the bucket for the LAC fleet, while in our case it presents an opportunity for us to get back to our roots and participate in this fishery. If all 100+ permit holders were to participate it would basically be a bare bones fishery at an average of 6,000#s per vessel. But there exists incentives on both sides to grow this fishery with this kind of structure. In the long run the larger vessels never bothered to access these waters until there were large enough biomasses of scallops to make it worth their while, which more than likely exceeded the splits laid out here.

6.1.3 I support alternative 2 which creates an observer program. That being said I'm in hopes that in doing so there is a recognition of 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.

6.1.4 I support the 25,000# sweet aside for research as this is a wise investment in our future.

6.1.5 I support no changes to the current regulations for the NGOM fishing season, I believe it works well the way it is for the majority of people the way it is now.

6.1.6 I would like to see a compromise of 15.5' as that takes into account that this is in fact a different area and should be treated as such.

When the Council created Amendment 11 they recognized that the NGOM was a very different area and stated that it should be treated as such. So I'm asking this Council to ponder how that can be done in a meaningful way. It has been said that the LAC vessels should receive more of than what I'm asking for because they are locked into one fishery. I say that by enlarge that statement is not necessarily the way things are. Many of the entities are in fact involved in numerous fisheries and fishery supported businesses on both the East and West Coasts of this country and some are even multinational., not to mention the many other business ventures they are involved in. Most of the our small boat communities are the ones that are actually locked in to one fishery being lobster, not because that's what we all choose but that is what's available to us at this point, it wasn't always this way.

We are a bunch of fishermen asking for access to something we've always had, access to the waters that touch our shores and the right to ply those waters to forge our livings. We can't

afford lobbyists to fight our battles for us, if we could things would probably be different right now. The fact that so many of us have taken time to come to represent ourselves and others like us speaks volumes. We've given up many aspects of our daily life to be a part of this process, speaking in meetings from Connecticut to Maine and all points in between as well as writing letters to let you all know how much this issue means to us all. These things are not our strong suit, so we're already at a disadvantage right out of the gates. I know SOME of the guys on the other side of this discussion have come from the same place as everyone of us on my side and I respect them for that. Pretty much everyone on my side of this discussion still puts their boots on in the morning and will probably do so as many have before them until they no longer can.

Sincerely, Ira "Tad" Miller
F/V Julie Ann, F/V Mallery Sky

From: Jay Friedlander [mailto:jfriedlander@coa.edu]

Sent: Friday, August 28, 2020 10:45 AM

To: comments <comments@nefmc.org>

Subject: Scallop Amendment 21

As both a sustainable business professor and someone who has worked with Maine's small and medium sized enterprises for over a decade, I know the importance of making sure small enterprises thrive in Maine. Maine's scallop industry is rebounding and becoming more and more important to our coastal economy - please ensure our boats can continue to harvest scallops by approving the preferred alternatives in Amendment 21.

I believe the Council should preserve access for small boats from northern New England, since that's why the Northern Gulf of Maine was created, so please adopt the preferred NGOM alternatives in the Amendment 21 document.

Sincerely

--

[Professor Jay Friedlander](#)

Sharpe-McNally Chair of Green and Socially Responsible Business

[COA's Sustainable Business Program](#)

Make sustainability strategic with the [Abundance Cycle](#).

[MIT Sloan Management Review](#) | [Stanford Social Innovation Review](#) | [Virgin](#) | [Forbes](#)

From: Jim Lovgren [mailto:jlovgren3@gmail.com]
Sent: Friday, September 04, 2020 5:00 PM
To: comments <comments@nefmc.org>
Subject: amendment 21 scallops

Please accept these comments in regard to Atlantic Sea Scallops Amendment 21 public hearing comments from the Fishermans Dock Co-op Point Pleasant, NJ.

First, apparently I have not been receiving any notices from the council for a while because I just found out about this a few days ago, and almost no else in Point Pleasant was aware either. Due to dealing with Covid concerns, no public hearings were held or advertised to the general fishing public, some people were notified of the webinars, I just got mine two days ago by email. As many of our members are holders of Limited Access permits, either LA or LAGC you would think that their opinions matter, but because no one was notified, I guess they don't. All holders of these permits should have been notified by MAIL about these proposals, but they were not. Many fishermen do not get emails or other electronic notices, but they do read the mail. If only the "people in the know" are aware of these proposals that could negatively affect others in the industry, In my mind that makes these so called hearings illegal.

Our concern in Amendment 21 is the proposed increase in the daily trip limit for LAGC vessels from the already 50% increase in quota from the original 400 pound limit that we strenuously opposed a few years ago to now either 800 or 1200 pounds a trip. The proponents of the trip limit increase are not even fishermen, they are market speculators that have drawn outside money into fisheries in order to turn them into a Wall street commodity that they can get rich on, without lifting a finger or ever cutting a scallop. Some of them are council members who should by all rights have no vote on a proposal that enriches them. 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. How about if you own quota you have to at least own a boat that leaves the dock and catches something besides a tax write off? I will point out that our comments in regard to the increase in trip limit from 400 pounds to 600 pounds would result in increased effort in fisheries that are the only thing left for many of the unlucky fishermen who weren't blessed by insider knowledge of what was happening behind the scenes. Because a scalloper could now catch his quota in only two thirds of the time it took previously, that meant that they would then target the fisheries that other fishermen depended on, many of whom lost their access to scallops altogether by the incestuous dealing of the advisory panel. Increasing the quota to 800 pounds would mean that now a LAGC holder could catch his quota in half the time thus allowing them to catch Fluke, Squid, Scup, Black Sea bass, or whatever else they choose with their extra time. They will not stay tied at the dock, they will invade the fisheries of the people they already screwed and screw them some more. They will win and many more fishermen will be put out of business and the industry will be weaker as whole, as large corporate interests take over. [Who in a few years will sell out to the highest bidder, possibly a foreign shell corporation.] Also the specialised day scallop market will be adversely affected because now trip scallops, will be sold as day scallops.

So if you're intent on increasing LAGC trip limits why don't you just simply make all the quota LA full time, and get rid of as many boats as you can, because then at least your motivations will be clear. Total consolidation of US fisheries into the hands of a few. WARNING: how did that work out for Carlos Rafiel?

So we support the no action Alternative in regard to general category trip limits. The council should not be kowtowing to a bunch of speculators who have weaseled themselves into the council for their own personal enrichment and turned many fishermen into their own personal plantation slaves.

Thanks for your
consideration, Jim Lovgren Sec. Fishermans Dock Co-op Inc Point Pleasant beach NJ

-----Original Message-----

From: John Mitchell [mailto:jr77mitchell@gmail.com]

Sent: Friday, September 04, 2020 12:52 PM

To: comments <comments@nefmc.org>

Subject: Amendment 21 scallops

My name is John Mitchell on the f/v Eleanor J The limited access fleet has brought up several talking points I would like to touch on a few. First I would like to point out my family does have history in the fishery and did qualify for a permit in 1994. Now I have my own small boat and fish for scallops year round first in the state fishery in the winter then move into NGOM in the spring between the two I am able to run and maintain my boat, any cut back in fishing opportunity might not make that possible. Second I don't believe there's enough bottom open to consistently reach the high TACS the limited access fleet is looking for, there is some good areas on stellwagon that have a good recruitment of small scallops but there's a lot of bottom in the Jefferys and cashes closures we don't have access to that would help reach the those higher TACS. In conclusion I support the preferred alternatives with the 600,000 lb 75/25 split

John Mitchell

Eleanor J LLC.
(207)266-4284

-----Original Message-----

From: James Reardon [mailto:jamesreardon@me.com]

Sent: Friday, September 04, 2020 6:50 AM

To: comments <comments@nefmc.org>

Subject: Scallop Amendment 21

Mr. Tom Niles,

As the Director of the New England Fisheries Management Council I am writing to you to voice my support of Scallop Amendment 21.

We are fortunate to have wonderful resources for fresh seafood right here in our own back yards. Dayboats provide not only the best and freshest scallops but also sustain generations of small businesses and fishermen living up and down our coasts.

Where would our communities be without them?

Please help daybook fishermen to continue to be able to provide the best and freshest scallops while also protecting the livelihoods of small coastal communities along the NGOM Scallop Management Area.

With great appreciation for your support.

James Reardon

From: Joshua Todd [mailto:joshuat207440@gmail.com]
Sent: Friday, September 04, 2020 2:42 PM
To: comments <comments@nefmc.org>
Subject: Scallop amendment 21

Dear Director Nies:

I live on Chebeague Island, ME and I'm a 19 year old 11th-generation fisherman. I've fished the Northern Gulf of Maine Scallop Management Area with my dad now for a few years, and I look forward to buying a permit so I can fish it on my own boat soon.

I'm writing to support the preferred alternatives in Amendment 21, in particular the allocation option that sets aside 600,000 pounds for the small boats that have fished the NGOM for generations. I like the split of 25/75 after that as it's kind of ridiculous to go right to a 95/5 split. The scallops off our shores declined well before any of the history used to generate the 95/5 split so I don't think it has any place in the NGOM.

I think it's important to support research, so I'm all for setting aside 25,000 pounds of NGOM scallops to add to the Research Set Aside Program. And I'm all for monitoring too as the more we know about this area the better. It's patchy up here - it's not like Georges or the Mid Atlantic - it needs to be protected and the management up here should be different, which is why it was set up as a whole different management area.

I'm no management expert, but it seems to me the Council chose to set up the NGOM Management Area for a reason. I know my dad went to meetings for years trying to fix things up here and for a long time no one would give him the time of day. Now scallops are coming back and all of a sudden the big boats are saying this area is important. Well, it's always been important to us.

I wanna spend my life as a fisherman, I truly love the adventure of the sea. I have my state lobster license and area 1 lobster permit. I don't see a way for me to solely lobster and be able to support a family one day, I NEED to diversify in order to be successful in this profession. I'd like to follow my father's footsteps in the scallop industry and to do that there needs to be quota for us to fish.

I hope you'll approve of the allocation split so young fisherman like myself can have a chance to fish for scallops like my father, my grandfather, my great grandfather, all the way back to my great great great great great great great grandfather did. Thank you.

Yours truly,

Joshua Todd
crewmember, F/V Jacob and Joshua
NGOM Permit # soon to come (I hope!)

From: Josh Trundy [mailto:jtrundy86@hotmail.com]
Sent: Friday, September 04, 2020 4:34 AM
To: comments <comments@nefmc.org>
Subject: Amendment 21

Dear Director Nies:

I'm writing to ask the Council to support the preferred alternatives in Amendment 21.

I thought this issue was already settled in Amendment 11: it didn't say we'd get ALL the scallops in the Gulf of Maine, but it did recognize our history was different from boats from away. We Maine boats have a history of staying close to home. And our areas were depleted from 2001 to 2004, so we did what generations of fishermen in our area did before us: we fished for what was there, confident that we'd fish for scallops when they came back. And that's why the Council set up the NGOM Management Area. It was supposed to make sure our rights to fish for the scallops off our ports weren't taken away.

Back in 2008 the Gulf of Maine wasn't much to fight over. For 10 years now a bunch of us have been coming to meetings, asking you to fix problems in the GoM management. And in the meantime, the scallops have been growing. And now that they're coming back, greedy folks are saying we "didn't qualify" to fish for Gulf of Maine scallops because all we ever fished for is Gulf of Maine scallops. I call BS on that.

I thank the Council for creating the Northern Gulf of Maine Scallop Management Area. I've fished there for the past 6 years and I look forward to fishing there for a long time to come. I'm glad the NGOM Management Area was created so I can do that, and I'd like to point out that nowhere in Amendment 11 did anyone say this area was set aside for us only if it stayed in the toilet. Please support the preferred alternative. It gives us a chance to work the fishery as it grows, but gives the majority to the big boats like they want if and when the resource really goes crazy up here.Thanks.

Josh Trundy
F/V Miss REBECKA
NGOM permit# 242851

From: WEST9451@roadrunner.com [mailto:WEST9451@roadrunner.com]
Sent: Friday, September 04, 2020 3:30 PM
To: comments <comments@nefmc.org>
Subject: Amendment 21 Scallops

Dear Director Nies:

I'm writing to ask you to support the preferred alternatives in Amendment 21. In particular, you need to give us at LEAST 600,000 pounds before you let the big boats in to this area.

I qualified for a NGOM permit back in 2008 but I didn't get it because at the time, getting a NGOM permit meant I couldn't fish in Maine's state water scallop fishery. At the time I thought it was pretty unfair that I had to choose between them, but I know fairness isn't always the top priority in fisheries management: I had already lost my multispecies permit so I was used to being on the losing end of things. That's one thing about being a small boat fisherman: you get used to losing out to bigger boats that can afford to hire lobbyists.

Then after a few years after they fixed the problem that kept NGOM permits out of the state fishery so I bought a NGOM permit. It was a little upsetting to have to pay for something I could have had for free if the system were set up right to begin with, but again, that's how things go.

I've been going to meetings now for 5 years or so and I've seen how things have changed. In the beginning the Council ignored us when we asked them to please fix the problem that let the big boats take all they wanted while we were limited to 200 pounds a day. Back in 2016 I went to Connecticut to point out that what Togue had predicted for years was already happening, but still the Council wouldn't act. Then it got so bad in 2017 they finally did something, and I'm glad for that. But 2016 was the first time in decades any of the big boats were up here, and now they're acting like it's an area they've always wanted. Well, they haven't. They just want it in their back pocket in case scallops on Georges and the Mid Atlantic die off, and from what I can tell, that's not happening now. They can still pay their lobbyists so they can't be that bad off.

I've fished the Gulf of Maine for years. I remember bringing in 600 pounds in one day. I realize I'm not going to be able to do that any more: because the Gulf of Maine was in the crapper 2001-2004 the Council set this area up to preserve access for a small-boat fishery and they meant it to stay that way. I lost access south of 42 20 and I lost my ability to really make a killing raking in lots of scallops at a time. But I thought the NGOM Management Area was supposed to guarantee that when the resource came back, us NGOM guys would get to harvest most of it.

I hear big boat guys saying guys like me didn't qualify. Well, we didn't qualify for an IFQ permit because we'd been in the Gulf of Maine where we wanted to be, but we sure qualified for the right to fish where we always had. We'd been getting permits every year even though our resource was depleted because when you're a fisherman, you know you need to keep renewing. And the Council saw that it wasn't right to keep us out of the Gulf of Maine just because *that's the only area we'd ever fished*. They created a whole separate area just for us. I don't get why I have to argue that NGOM permits should be able to fish in the NGOM - it's the big boats that ought to be arguing why they should have rights up here - our rights were already set in Amendment 11.

I'll stop there because I get worked up about this, but I'll end by saying this: The Council did a good thing when they made the Northern Gulf of Maine Scallop Management Area. You don't need to dig too deep to see the real reason they set it up, so when you hear the crazy arguments from the big boats saying we didn't qualify or we should be grateful for whatever we get, ask yourself this: if us boats don't deserve to fish up here, why did the Council create this whole new area to begin with? And why is there a whole separate NGOM permit? I think the answer is pretty clear.

Thank you

James West
F/V First Impression II
NGOM Permit #151983

From: jim wotton [mailto:cranberryislandlobster@yahoo.com]
Sent: Friday, September 04, 2020 8:19 PM
To: comments <comments@nefmc.org>
Subject: Amendment 21 comment

Dear Director Nies:

I'm writing to ask you to approve of the preferred alternatives in Amendment 21. The Council should allocate **at least** 600,000 pounds of scallops to the Northern Gulf of Maine set-aside, since this entire area was created for the purpose of preserving access for NGOM boats. Also, the 95/5 split the LA fleet loves so much came about to settle a dispute between IFQ boats and Gen Cat boats. At the time it came to be, the NGOM was created as a completely different management area, so it should hold no water here. For that reason, I'm asking you to support Alternative 2.2, which allocates 600,000 pounds of scallops to a NGOM set-aside and doesn't resort to the 95/5 split until 3 million pounds.

I've been to far more meetings than I'd like in the past few years and I've learned that the big boat lobbyists like to repeat things over and over until they're accepted as fact. One of the things they like to say is that we should be grateful for whatever we're given. Well, I'm not feeling very grateful right now. I'm feeling annoyed that I still have to make the argument that I should be allowed to fish in the NGOM, when the Council created an entire management area just to make sure I could. Also, this whole idea of us "not qualifying" is bogus. We're not trying to hone in on scallops south of 42 20: we know we can't do that and most of us don't want to. But the Council guaranteed us access to the scallops in the NGOM when they created the NGOM Management Area. The big boats like to act as though 42 20 is an annoying line in the ocean that has no real meaning other than it creates a back up area for them to go to when they're in the mood. It DOES have meaning: it's an entirely separate management area. The Council drew that line because they recognized, as any sane person would, that 2001 to 2004 was not meaningful when it comes to history in the NGOM. They knew it would be crazy to deny boats the right to fish in their own backyard simply because their own backyard is the place they'd always chosen to fish. I understand why I'm stuck north of 42 20. What I don't understand is why the big boats act as though we're trying to take something from THEM when it's clearly the other way around. The NGOM was not designed to be a backup insurance policy for the big boats. It was created to ensure boats from communities in ME, NH and MA that had fished for scallops for generations could continue to do so. And a lot more guys would have NGOM permits if it weren't for the crazy way it was set up in the beginning, where guys had to choose between getting a NGOM permit or fishing in state waters.

Also, we need to remember that scallops up here don't grow the same as scallops down south. I was on Stellwagen in 2017 and that fishing was beautiful but it was like nothing I've ever seen. The big boats are going to be surprised when they come fish off Machiasport, and I'm worried about what'll happen to the resource when they do. The last time this area really

boomed was almost 40 years ago, so I hope the Council doesn't just finish Amendment 21 and call it good: they haven't heard the last of us NGOM boats demanding what's right up here.

We need to understand the resource better so I support the option that sets 25,000 pounds of scallops aside for the RSA, and I support the preferred monitoring alternative too. In a perfect world all boats would be limited to one dredge, but if the big boats are coming I'd rather they come and go quick, so I'm OK with no action on dredge size.

I've got to say it's frustrating to have to keep fighting for what's right. I'm glad the Council is finally developing a long-term solution in the Gulf of Maine. I wish they'd done it years ago before 2 million pounds was taken off Stellwagen but I'm glad they're at least doing it now. Thank you for that.

Yours truly,

James Wotton
F/V Overkill
NGOM Permit # 151564

Scallop A21 Comments

Thomas Nies
NEFMC
50 Water Street
Newburyport MA

Dear Mr Nies

Thank you for the opportunity to comment on Amendment 21 to the Scallop Management Plan.

Allocation:. I support the Councils preferred alternative of 600,000 trigger and 25-75 split with the Limit Access category up to 3 million pounds and 5-95 after that. This option best represents the goals of Amendment 11 which called for a way for the Smaller Gulf of Maine fleet to access a growing scallop resource. This option still allows the LA fleet to get the benefit of a large scallop biomass.

Monitoring:. I support the Councils preferred alternative to allow a set aside of pounds to cover the costs of at sea monitoring.

Research:. I support the Councils preferred alternative to set aside 25,000 pounds to be added to the RSA to fund research in the NGOM area.

Dredge Width:. I support No Action on the dredge width limit for LA boats in the NGOM area.

Thank You

Kristan Porter
F/V Brandon Jay
Cutler Maine
Permit #152057

Pg 1

My name is Keith Larson, I am part owner of the Fu Elizabeth Limited access scallop with general category quota also, I also own part of the Provider III that has a general category scallop permit. I also manage my family's vessels Ms Manya, Capt John, both full time scallops permits with gen cat Quota, and the Lucky 13 and Karen 1 both with part time small drop permits. The Karen 2 also has Gen Cat quota. All boats fish out of Barnegat Light NJ, Gulf of Maine Topic

6.1.1 I agree with alt 2 the preferred alt,
 6.1.2 allocations - I agree with option 4. I don't agree with starting a new history. Keep it at 200,000 lbs and 5% - 95%
 I would also have to agree with option 4 from Table 3 for the NCGM allocation alt.

Pg 2

6.1.3

I agree with Table 4 alt 2.

6.1.4 Support Scallop Research

Table 5. I support alt 2

6.1.5 NBOM Fishing Season

I support alt 1

6.1.6 Dredge width

I support table 7 alt 1

6.2.1 Increase Large IFQ

I can agree in table 8 alt 2 with option 1.

I wish we could keep the access areas to 600 pounds, and 800 for open to stop Derby style fishdays. But that's not an option.

6.2.2 Increase Observer compensation

Table 9 I agree with alt. 2

6.2.3 One Way Transfer of Quota

I support alt 2 the preferred alt.

Pg 3

6.3 From here down I don't
have much of an opinion on,

Thanks for taking my comments

Keith Larson

23 West 20 Street

Barnegat Light NJ 08006

email - bigeye101@aol.com

cell 609-548 5025



Community Shellfish LLC

**PO Box 106
Bremen, Maine 04551
Tel. (207) 529-2700**

August 25, 2020

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

Re: Atlantic Sea Scallop Amendment 21 Public Hearing Comments

Dear Director Nies,

As a Maine seafood dealer, I'm writing to ask you to approve the Council's preferred alternatives for Amendment 21 so Maine fishermen can continue to access this important fishery as it rebuilds. Many Maine fishermen are now dangerously reliant on the lobster fishery. That was not always the case: from the 1800's through the 1980's, Maine fishermen would fish for multiple species as their availability waxed and waned over the course of the year. Scallops were an important part of many Maine fishermen's businesses, and the Northern Gulf of Maine (NGOM) Scallop Management Area was specifically established to allow these fishermen to harvest the scallops off their shores if and when the resource recovered. I am pleased to see the resource is recovering, perhaps aided by the work Maine fishermen did to restore our inshore fishery (along with Mother Nature).

I'm able to sell scallops from local dayboat fishermen at a premium and I would like to continue to do this. The preferred alternative that allocates a set-aside of 600,000 pounds to NGOM fishermen plus 25% of the allocation above that represents a fair compromise between the basic purpose of the NGOM (to allow small boat fishermen from Northern New England to access the scallop resource if and when the resource recovered) and the desire of fishermen who historically fished waters outside the NGOM to share the bounty of its burgeoning recovery. This is the issue I find most important, but I also believe the following:

- I do not think there should be specific seasons for fishing in the NGOM: 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.

- I would like to see a maximum dredge size established, as the NGOM is a unique and fragile environment and a smaller dredge (no more than 10 feet) would seem to help protect it.
- I also wish to express my support for an industry-funded observer program and a research set-aside using scallops from the NGOM. Good management relies on good science, which relies on good data. We never want to see this resource flounder again and should devote resources to ensuring that doesn't happen.

Thank you for your focus on this important issue.

Yours truly,

A handwritten signature in blue ink that reads "Boe Marsh". The letters are cursive and somewhat stylized.

Boe Marsh
Community Shellfish Co, LLC
Bremen, Maine 04551

From: Mike Alfiero <mike@harborfish.com>
Sent: Wednesday, September 2, 2020 12:35 PM
To: comments <comments@nefmc.org>
Subject: Scallop Fishery

Dear Council and Director Nies,

My name is Mike Alfiero, co-owner of Harbor Fish Market in Portland Maine. I am writing to ask you to support the preferred Northern Gulf of Maine (NGOM) alternatives in Amendment 21.

We are one of the largest retailers in New England, we also offer food service to high end local restaurants, and ship nationwide. Our focus has always been direct sourcing of high quality local seafood.

We rely on the ability to buy Maine scallops to offer to all our local customers. We have developed a following in our store and online for this wonderful Maine resource. We are very concerned that the that the small boats that fish the Northern Gulf of Maine Scallop Management area will be in jeopardy of losing their fair share of the resource that they helped restore. We are very dependent on this resource. I believe that our dependence on the ability to purchase from small local boats will be impeded negatively.

If larger boats start landing the larger portion of the resource, it will have a negative domino effect right through the Maine seafood industry. Less high quality day boat scallops and more inferior scallops coming out of New Bedford. This will have a direct negative effect on our business, the local restaurant business, and local consumers in general who now depend on this resource.

At a time when the Maine seafood industry, and harvester's are struggling to continue to operate, and are negatively impeded by the shrinking landings of ground fish and the disappearance of the shrimp fishery, it seems counterintuitive to negatively add to shrinking resources.

I urge you to support the preferred NGOM allocation alternative in amendment 21.

Sincerely,
Mike Alfiero

--

Mike Alfiero
Owner
Office-207-772-6557 ext. 106
Cell-207-232-3970
email, Mike@harborfish.com

Harbor Fish Market
9 Custom House Wharf
Portland, Maine 04101

(207) 775-0251 (retail)
(207) 772-6557 (wholesale)

From: Mike Anderson [mailto:capt.mikeanderson@gmail.com]
Sent: Thursday, September 03, 2020 5:02 PM
To: comments <comments@nefmc.org>
Cc: NEFS V <nefsector5@gmail.com>
Subject: Amendment 21

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

Dear Mr. Nies,

I am owner/operator of F/V Rimrack out of Rye Harbor New Hampshire. I have fished for scallops, shrimp, groundfish, tuna and herring - in the waters off Portsmouth NH over the past 50 years. Scallops are a significant part of my income. It is a critical part of our business as well as for our seacoast communities and beyond, to continue having access to scallops directly off the boat. I am requesting the Council will accept the preferred alternatives in Amendment 21.

I have a NGOM permit because I've always fished the waters in my own area. I thought my NGOM permit was designed to let me fish for the scallops here as they rebuilt. But I hear some guys saying I should be happy with whatever we're "given" because I didn't qualify for an IFQ permit in 2008. I thought that argument was settled with Amendment 11: the NGOM was created so guys like me could continue to fish in the Gulf of Maine.

My wife and I have made a business out of providing local dayboat scallops to individuals and businesses throughout our area. I don't expect to ever bring in 600 pound catches - I know that's not an option because Amendment 11 created the NGOM as a smaller scale fishery which we support. But I was under the impression we'd be able to share in the recovery of the Gulf of Maine scallop resource. I hear some guys talking about capping us at 500,000 pounds. That's less than one quarter of what was taken out of one small area of Stellwagen in just a few weeks in 2017. How is that sharing in the rebuilding? I'd like to be able to sell NGOM scallops for a few months rather than a few weeks, and I don't think that's asking much. Plus it is much better business for the markets.

I appreciate the fact that the Council established the NGOM so boats who had always fished in the Gulf of Maine could continue to do so. And I'm asking the Council to remember that that's why the NGOM was created.

I hope you'll approve of Option 2, Alternative 2, the 600,000 pound trigger with tiered sharing after that. As the resource here rebuilds, this option will ensure boats like mine are able to share in the bounty of a recovering resource, but it also ensures that if climate change moves

scallops north, the big boats will get the majority of them.

Given that the Gulf of Maine "was traditionally fished, to a very large extent, by small boats that were engaged in other fisheries such as the lobster or groundfish fisheries during different seasons and that fish only seasonally for scallops" (Amendment11 FSEIS preamble, page viii), I think that's a fair compromise.

In addition, we approve of other preferred alternatives, which establish research and monitoring in the NGOM, and I approve of "no action" when it comes to a season: I think we should be able to decide when to catch our quota - we're already limited to 200 pounds, we don't need to be told how often we can fish it (obviously take this part out if you disagree).

The Northern Gulf of Maine Management Area was created just over a decade ago. It's just starting to flourish. Please make sure that as it continues to grow, boats like mine are able to access it for more than a few weeks each year.

Thank you for your considerations
Mike and Padi Anderson
F/V Rimrack
Permit # 149374

From: Michael Draman [mailto:md@md6236.com]
Sent: Friday, September 04, 2020 3:11 PM
To: comments <comments@nefmc.org>
Subject: NGOM issue

Dear Director Tom Nies;

"No matter where I have lived I've enjoyed dayboat scallops for years now and I love getting scallops caught by small boats who fish the Gulf of Maine. I can absolutely taste the difference and I hope you'll select the preferred alternatives in Amendment 21 so I can keep eating these fresh scallops all summer long rather than having them for a few weeks in April and May. Thank you for your consideration.

Respectfully,

Michael Draman
Amelia Island , FL 32034

Sent from my iPad. Please excuse any typo's. This email is considered confidential and is for intended recipient only. If it was not addressed to you; you have no legal right to read it.



Please consider the environment before printing this e-mail

From: Michael [mailto:lovefisheries@hotmail.com]
Sent: Thursday, September 03, 2020 7:18 PM
To: comments <comments@nefmc.org>
Subject: Amendment 21 Scallops

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

Re: Atlantic Sea Scallop Amendment 21 Public Hearing Comments

Dear Director Nies,

I would like to thank you, your staff, and the entire NEFMC for devoting the time and energy necessary to address the needs of the fishermen who participate in the Northern Gulf of Maine scallop fishery. My name is Michael Love and I fish on the fishing vessel Titan out of Gloucester MA.

As a scallop fishermen and NGOM Permit holder, I am excited to see the scallop fishery returning for all boats in the NGOM. Below are my comments regarding the alternatives within A21.

6.1.1- NGOM Management Measures:

I support the preferred alternative of incorporating the NGOM into the flow chart and including the NGOM exploitable biomass into the overfishing limit as it creates some level of consistency.

6.1.2 NGOM Allocations:

I support the preferred alternative from The Council. Alternative 2 Option 2 creates a NGOM set-aside trigger of 600,000 pounds; pounds over the trigger would be split 25% for the NGOM set-aside and 75% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL. This is a middle of the road allocation split which will allow for shared opportunity and create incentives for all parties who wish to fish in the Gulf of Maine to manage it for growth. The NGOM cannot be treated like other offshore fishing grounds with heavy exploitation and then periods of inactivity. 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. This option is a good compromise and I support it.

6.1.3 Monitoring directed scallop fishing in the NGOM:

I support alternative 2 which will create an industry funded observer program for the NGOM. Good stewardship requires accountability and the NGOM fishermen are dedicated to being good stewards of this resource.

6.1.5 NGOM Fishing Season:

I support the no action alternative for the NGOM fishing season. 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. Changing the current regulations may have unintended consequences when it comes to gear conflict and I believe that through frameworks or other actions the council can quickly address any problems.

6.1.6 Cumulative Maximum Dredge Size. (choose one)

- Alt 1. No action (preferred alternative)

Thank you for considering my comments and for helping protect the future of the Gulf of Maine scallop fishery for all fishermen.

Sincerely,
Michael Love

F/V Titan

From: Margaret Hodgkins Mason [mailto:mhodgkins56@gmail.com]
Sent: Friday, September 04, 2020 10:54 AM
To: comments <comments@nefmc.org>
Subject: Maine scallop amendment 21

Tom Nies, Director

I enjoy eating dayboat seafood and I think you should honor the intentions of the Council members who created the Northern Gulf of Maine Management Area by selecting the preferred alternatives in Amendment 21.

Thank you.

Margaret Mason
Williams AZ

From: Margaret Hodgkins Mason [mailto:mhodgkins56@gmail.com]

Sent: Thursday, September 03, 2020 3:50 PM

To: comments <comments@nefmc.org>

Subject: Gulf of Maine scallops

I've enjoyed dayboat scallops for years now and I love getting scallops caught by small boats who fish the Gulf of Maine. I can absolutely taste the difference and I hope you'll select the preferred alternatives in Amendment 21 so I can keep eating these fresh scallops all summer long rather than having them for a few weeks in April and May. It our local Maine heritage.

Margaret Mason
Williams, AZ

From: Mike Murphy [mailto:bigbuggen@yahoo.com]
Sent: Thursday, September 03, 2020 9:42 PM
To: comments <comments@nefmc.org>
Subject: Scallops Amendment 21

Dear Director Nies:

I'm writing in support of the preferred NGOM alternatives in Amendment 21.

I've gone to a lot of meetings over the past few years to ask the Council to close loopholes in the NGOM. My father and I have driven down from Machiasport, sometimes 9 hours each way, because the NGOM is important to us. Here in Downeast Maine we don't have a lot of options when it comes to work; some guys fish because they have to. I fish because I want to. I grew up fishing with my father and I bring my sons with me now because they want to fish too and if I had to guess I'd say their sons and maybe even daughters will fish for their living. The NGOM Management Area was established to make that possible. I hear some guys claiming we "didn't qualify", well apparently they forgot what happened in Amendment 11: the Council recognized it wouldn't be right to limit boats like mine to what they'd caught from 2001 to 2004, because fishermen that depended on the Gulf of Maine for their living didn't have a chance at catching scallops in those years. They knew it wasn't right, so they created a whole new management area just to ensure fishermen from communities like mine wouldn't be shut out of our historic grounds. So we sure did qualify: we qualified for a NGOM permit. That permit doesn't let us fish south of 42 20, but it's supposed to give us priority access north of it.

I know there are a lot of boats, pretty much all of them bigger than mine, who think they should be able to fish in the NGOM whether they've fished here historically or not. And I'm not suggesting they should be kept out. But since this area was created for a specific purpose, I think it ought to be allowed to fulfil that purpose before we let everyone at it.

The alternative the Council has already selected as preferred does a good job of allowing boats like mine to fish for scallops as the resource rebuilds, but also allows the big boats to access the resource if Mother Nature decides to give us a really big set. It's pretty clear the Limited Access boats are worried about what will happen if the whole resource changes and the Gulf of Maine all of a sudden has the lion's share of the fishery. Well, with this alternative, if that happens, the big boats will have the lion's share of the Gulf of Maine. I don't necessarily think that's fair but that's why they call it a compromise - no one thinks it's ideal.

I also support the "No Action" alternative when it comes to a season: I think we should be allowed to fish as long as there's quota available and it doesn't make sense to slow us down by preventing the number of times we can set out in 24 hours or the number of days we can fish in a week.

In closing, I support the preferred alternatives that allow NGOM scallops to go toward monitoring and research. 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.

I'd like to thank the Council for selecting the preferred alternatives they did in Amendment 21; it's not often I find myself agreeing with them when it comes to the NGOM but I did here, and I appreciate the work they're putting into setting up better management up here.

Thank you

Mike Murphy II
F/V Murphy's Law
Permit # 150214

From: Mike and Traci Murphy [mailto:murphysfarm@yahoo.com]
Sent: Friday, September 04, 2020 5:53 AM
To: comments <comments@nefmc.org>
Subject: Amendment 21 Scallop Public Comments

Dear Director Nies:

I'm writing to ask the Council to honor what their counterparts did back in 2008 when they created the Northern Gulf of Maine Scallop Management Area by selecting the preferred alternatives in Amendment 21.

I've lived in Machiasport ME my entire life. I've fished for scallops, lobsters, urchins, quahogs, etc. There aren't a lot of job opportunities around here so we tend to make our living off what Mother Nature offers. Sometimes she's a little more generous than others. When it comes to fisheries she tends to be inconsistent. The last time she was TRULY generous with scallops was in the 1980's. I wish she'd had the foresight to make her blessings a little more consistent or at least include a good year or two between 2001-2004 so this letter wouldn't be necessary.

Speaking of foresight, I'd like to thank the Council for setting up the Northern Gulf of Maine Scallop Management Area. Maine boats have over 150 years of scallop fishing history in the Gulf of Maine. Did you know the scallop fishery in the Northeastern US started in Maine, with boats out of Calais? In 2008 the Council recognized it would be beyond crazy to deny me and my descendants access to the scallops in our own backyards simply because we happened to be fishing here rather than on Georges Bank or off New Jersey from 2001-2004.

So I'm asking the Council members to honor what the folks who sat in their chairs in 2008 had the foresight to create. If you have any doubt about how you should vote on this issue, please ask yourself "Why was the NGOM set up to begin with?" If you read Amendment 11 it's pretty clear it was set up because they decided access to the scallop resource was important to communities from Eastport all the way down to Provincetown. So why are we having this debate again?

I hear guys saying it would be crazy to "give" NGOM boats more than 500,000 pounds of scallops since "we didn't qualify". Apparently these big boat guys think the 42 20 line was drawn as their own personal insurance policy against climate change. Well I've got news for them: that's not why the NGOM was created. It wasn't just a token gesture thrown in for appearances: it was created for a purpose. And I'm asking you to let it achieve that purpose.

The NGOM Management Area was set up so when scallops returned to the Gulf of Maine, boats like mine could fish for them. I'm not going to be able to load my boat up with 800 pounds of scallops like I did back in the 80's. Because scallops weren't here from 2001-2004, I have to stay north of 42 20 (which I'm fine with) and I'm restricted to 200 pounds per day (which is better than nothing so I'll take it). I'm not asking anyone for a favor or a gift - I'm just asking to be allowed to fish for scallops in the Gulf of Maine, *which is a right I thought the Council already gave me through my NGOM permit*.

The folks who oppose the preferred alternatives are saying some crazy stuff about us not having history. Oh, I wish NMFS had good solid data back into the 80's - I'd show them some history! And they're saying we didn't qualify. OK, why was the NGOM created? We may not have qualified for quota south of 42 20, but for goodness sake, the Council created an entirely separate management area so boats like mine could keep fishing in the Gulf of Maine!

The big boat interests have to create these crazy stories about us not being true scallop fishermen *because that's the only way their cockamamie argument will fly*. Please don't let them fool you. If you find yourself falling for their story, please ask yourself: Why was the NGOM created? Why did the Council go to so much trouble to draw a new line in the ocean and set up a whole new management

plan? Do you think it was so you'd inherit the right to "give" us small boats a token pittance to whet our appetites while we watch the boats from New Bedford scoop up the scallops off our ports?

Scallops are returning to the Gulf of Maine. They're more abundant off Cape Ann right now, that won't always be the case. They'll bloom off Machiasport and lots of other places between here and the 42 20 line. I accept that boats like mine aren't going to get rich off them: if the resource really booms, we're going to get just a small percentage and the rest will go to the big boats. I may not like it, but I understand that's how it's going to work. But please don't buy the argument that anything we receive is a gift we should be grateful for. It's not a gift: it's an obligation that was created back in 2008 along with the NGOM Scallop Management Area.

Please, for the love of God, don't undo what's already been done. Don't neuter the NGOM Management Area just when it's starting to flourish. I fish with my son now, and his sons are learning to fish, and I want their children to be able to fish for a living too. The 2008 Council created the NGOM so they could do that. I'm asking you to follow through on the good thing they established. Boats like mine have fished for scallops in the Gulf of Maine for over 150 years. You have the honor of making sure that can continue, and I hope you'll do it.

Thank you for reading this letter, and thank you for doing what's right.

Yours truly,

Mike Murphy Sr.
F/V Murphy's Law
NGOM Permit # 150214

From: Padi Anderson [mailto:padi.anderson@gmail.com]
Sent: Thursday, September 03, 2020 5:09 PM
To: comments <comments@nefmc.org>
Subject: comment for amendment 21

Hello Director Nies,
I am emailing a comment on behalf of
Capt. Mike Noyes
F/V Sarah Kelley
Permit # 138450
11 Moody St
PO Box 367
Byfield MA 01922

From Mike Noyes;
I appreciate the fact that the Council established the NGOM so boats who had always fished in the Gulf of Maine could continue to do so. And I'm asking the Council to remember that that's why the NGOM was created.

I am in support of Option 2, Alternative 2, the 600,000 pound quota with tiered sharing after that.

Thank you
Mike Noyes

-----Original Message-----

From: Michael Michelle porter [mailto:porters_@hotmail.com]

Sent: Sunday, August 30, 2020 9:11 PM

To: comments <comments@nefmc.org>

Subject: Amendment 21

Amendment 21 Comments

Thomas Nies
NEFMC
50 Water Street
Newburyport MA

Dear Mr Nies

I would like to comment on a couple portions of Amendment 21 to the Scallop Management Plan.

6.1.2 Allocation. I support Alternative 2 opinion 2. A 600,000 pound trigger with a 25-75 split with the LA boats gives the NGOM fleet a chance to benefit from a growing scallop resource in the Northern Gulf of Maine while still giving the LA fleet the majority of landings if the resource continues to grow. There were huge scallop landings in federal waters by small vessels back before the qualifying years of Amendment 11 and before accurate landings data by both State and Federal agencies, so I feel a high trigger number is justified.

6.1.5.Seasons.I DJ Support No Action when it comes to seasons.The NGOM has no issues currently. There can be intended consequences in changing the fishing season, such as gear conflict and low meat yield.

Thank you for your consideration.

Michael Porter
F/V Brittan A
Permit #150973



Maine Center for Coastal Fisheries
PO Box 27 | 13 Atlantic Avenue
Stonington, ME 04681
Phone: 207.367.2708 | Fax: 207.367.2680
www.coastalfisheries.org

September 4, 2020

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

Re: Comments on Scallop Amendment 21

Dear Director Nies:

The mission of the Maine Center for Coastal Fisheries in Stonington, Maine is to secure a sustainable future for fisheries and fishing communities in Eastern Maine and beyond. We know that it is critical that ports of all sizes throughout the Gulf of Maine need vibrant fisheries as part of the seafood system and as part of the economic and social fabric of these special places.

I am writing to encourage that you adopt the preferred alternative (Option 2) for splitting allocation of the Northern Gulf of Maine scallop. MCCF works with fishermen at a local scale in our work in collaborative research, management and education and we are striving diversification for local scale fisheries opportunities and the scallop fishery is critical to this future. I fully support preserving access to the NGOM scallop for the small boats and their fishing-dependent homeports along the Maine Coast. As the scallop resource has recovered in both state and NGOM waters in recent years, it is increasingly important for winter/spring fishing opportunities to diversify individual owner-operator fishing portfolios. Sharing of this resource across the fleet will help ensure that these fishing communities can prosper and can continue to support a wide range of fishing options in the future with workforce and infrastructure.

The Northern Gulf of Maine area was initially designated with the intent to support smaller boats and fleet diversity, I urge the Council to keep with this spirit and preserve opportunities for the independent business models characteristic of Maine and many other coastal communities in New England.

Feel free to contact me if you have any questions, panderson@coastalfisheries.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Anderson".

Paul Anderson
Executive Director, MCCF

Paul Anderson, Executive Director

Maine Center for Coastal Fisheries Board of Directors

James Chesney, Chair • Jane Osborne, Vice Chair • Charles Rudelitch, Treasurer • Thomas Urmy, Secretary
Marsden Brewer • Ted Hoskins • Elizabeth Jewett • Nancy Knowlton • Walter Kumiega
James Markos • Brent Oliver • Robert Steneck • Susan Toder • James Wilson

From: Nancy Jenkins [mailto:nancyharmonjenkins@gmail.com]
Sent: Thursday, September 03, 2020 8:51 PM
To: comments <comments@nefmc.org>
Subject: Scallop Amendment 21

Dear Director Nies:

I'm a food writer and journalist with a national reputation and a local commitment to my home state of Maine where I work hard to advocate for Maine food production, especially our Maine fisheries.

I know that many people come to Maine precisely because of our local fishery traditions, including dayboat seafood. It would be great to be able to introduce them to local dayboat scallops, one of the greatest of our prized traditions not just in the winter season but also throughout the summer.

I hope you'll support the preferred NGOM alternatives, which allow small, local boats to continue fishing in the Gulf of Maine as they have for more than a century. I understand that scallops in the Gulf of Maine will be caught no matter what, but I would prefer to be able to support our wonderful dayboat scallops year round. It's my understanding that the Northern Gulf of Maine Scallop Management Area was created originally to preserve access for small boats from northern New England, so it only seems fair to allow these boats to benefit from a recovering resource.

Please ensure small dayboats are allowed to extend their season beyond just a few weeks as the scallop resource in the Gulf of Maine recovers. Doing so is good for all of us, as consumers as communities and as an important economic resource. And it's just plain right. Thank you, Nancy Harmon Jenkins

--

Nancy Harmon Jenkins

www.Nancyharmonjenkins.com

The Four Seasons of Pasta

Nancy Harmon Jenkins and Sara Jenkins

<http://www.amazon.com/Seasons-Pasta-Nancy-Harmon-Jenkins/dp/0525427481/>

Virgin Territory: Exploring the World of Olive Oil

Nancy Harmon Jenkins

<https://www.amazon.com/Virgin-Territory-Exploring-World-Olive/dp/1118203224/>

From: Nate Smiley [mailto:natesmiley@gmail.com]

Sent: Thursday, September 03, 2020 4:49 PM

To: comments <comments@nefmc.org>

Subject: Scallop Amendment 21

Dear Director Nies,

I love dayboat scallops. Nothing else can compare to their flavor, texture, and freshness. I hope you will select the preferred alternatives in Amendment 21 so I can eat more of this beautiful wild food for a longer season each year. Thank you.

Respectfully Yours,

Nate Smiley

27 August 2020

Carla Guenther, Ph.D.
Chief Scientist, Maine Center for Coastal Fisheries
Scientist, Maine Scallop Advisory Council

New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Re: Comments on Scallop Amendment 21

Dear Councilmembers,

I am writing to ask that you please adopt the preferred alternative (Option 2) for splitting allocation of the Northern Gulf of Maine scallop. As the Chief Scientist at the Maine Center for Coastal Fisheries in Stonington, Maine and one of two Scientist seats on the Maine Scallop Advisory Council, I fully support preserving access to the NGOM scallop for the small boats and their fishing-dependent homeports along the Maine Coast. Both the state water and NGOM scallop resource have been recovering over the past decade to restore an increasingly important winter/spring complement to diversify individual owner-operator fishing portfolios. Our communities' economies and services are closely linked to fishery landings and employment opportunities from property taxes to populating (and keeping) our local schools.

The Northern Gulf of Maine area was initially designated with the intent to support smaller boats and fleet diversity, I urge the Council to keep with this spirit and preserve opportunities for the independent business models characteristic of Maine and many other coastal communities in New England.

Please do not hesitate to contact me if you have any questions, cguenther@coastalfisheries.org.

Sincerely,

A handwritten signature in cursive script that reads "Carla Guenther".

Carla Guenther

-----Original Message-----

From: Peter Brawn [mailto:worthleyperu@me.com]

Sent: Friday, September 04, 2020 11:57 AM

To: comments <comments@nefmc.org>

Subject: Scallops Amendment 21

Dear Director Nies: please give as many scallops as possible to local Maine boats. Our boats have fished the waters off our shores for generations and the idea of seeing New Bedford boats harvest the scallops in my backyard while local boats are on the hook is galling.

Given the options, I prefer 2-2, in which you start out with 600,000 pounds for local boats.

Thank you for ensuring boats in my community can fish for scallops into the future.

Yours truly,

Pat Brawn

Sent from my iPhone

From: Richard DeCoursey [mailto:rjd79Linc@outlook.com]
Sent: Friday, September 04, 2020 11:35 AM
To: comments <comments@nefmc.org>
Subject: Scallops Amendment 21

Dear Director Nies:

As a Maine resident and chef, I would like to thank the Council for creating the Northern Gulf of Maine Scallop Management Area, as recently it's provided me with some phenomenal local dayboat scallops.

I would LOVE to be able to serve these scallops to my guests for a longer season. New England's tourism industry peaks in July and August and it would be great if we could get local dayboat scallops through this season and into the fall.

From what I understand from talking with friends in the fishing industry, the boats with the majority of scallop fishing history in the Gulf of Maine are exactly the type of boats I want to buy from: small boats that fish locally. 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. Personally, I plan to source all my foods as close to my kitchen as possible. That will be much easier if you give the small dayboats as big a chunk of the scallops off our shores as you can.

I hope you will approve of the allocation Option 2 Alternative 2, which gives the first 600,000 pounds of scallops to local dayboats. I'm actually surprised there's not an option that would give them more - from what I understand at one point our guys were bringing in millions of pounds just in Maine. But since that's the best of the options listed, it's the one I'll support.

As for the other options, I support setting aside 25,000 pounds of local scallops to support local research and I certainly think we ought to monitor the boats whenever it's feasible, so I support the preferred options there as well.

I don't know enough to comment on the dredge size so I'll leave that up to you.

Thank you for considering this matter, which is so important to our local communities.

- Richard DeCoursey

From: Ruth Dwyer [mailto:radwyer@comcast.net]
Sent: Thursday, September 03, 2020 8:31 PM
To: comments <comments@nefmc.org>
Subject: New England Fisheries Council

Dear Mr. Nies:

I enjoy eating dayboat seafood and I think you should honor the intentions of the Council members who created the Northern Gulf of Maine Management Area by selecting the preferred alternatives in Amendment 21.

Kind regards,

Ruth Dwyer

-----Original Message-----

From: Robert Lesnikoski [mailto:bob@vermontcranberry.com]

Sent: Friday, September 04, 2020 9:37 AM

To: comments <comments@nefmc.org>

Subject: Scallop Amendment 21 Public Hearing Comments preferred NGOM Options

Dear Director Nies,

As a small Wholesale seafood company based in Vermont and purchasing from dayboat community based fishermen in New Hampshire I would like to express my support of the preferred alternatives pertaining to the NGOM in amendment 21.

Scallops from the NGOM have been critically important to my business and the livelihoods of Small boats on the New Hampshire coast . The lack of a winter shrimp season has been economically difficult for small boat fisherman. The ability to access the scallop resource has ameliorated the economic damage of the loss of the shrimp resource and the reduction in groundfish.

The allocation option is very important. The NGOM was created so Dayboats could access the scallop fishery.

I feel that is important that now that the NGOM Scallop is recovering that the NGOM Scallop Management Area is allowed to realize its ultimate purpose- which is to allow access for smaller boats to fish for scallops as an important seasonal aspect of their businesses.

I ask that you honor the intention of amendment 11 and support the preferred NGOM options in amendment 21

Yours Truly

Robert Lesnikoski

Seasonal Seafood

2563 North Rd

East Fairfield ,Vt 05448

Fed Dealer #4118

Sent from my iPad

-----Original Message-----

From: Robert Odlin [mailto:rodlin1@maine.rr.com]

Sent: Friday, September 04, 2020 3:20 PM

To: comments <comments@nefmc.org>

Subject: NGOM

Hello

I'm a life long Maine resident and career commercial fisherman of 30 years.

I participate in numerous fisheries every year

Scallops, squid, groundfish and lobster fishing are my means of income and feeding my family of 4

The NGOM scallop
Fishery is vitally important for me.

It is a fishery that starts in April and the timing is excellent because small boat fishing should be done inshore during the spring.

I hope you consider me when you decide this fishery's future

Sincerely
Robert Odlin
Scarboro Maine
FV Maria and Dorothy

Sent from my iPhone

From: russell parmenter [mailto:patriciaann324@gmail.com]
Sent: Friday, September 04, 2020 10:49 AM
To: comments <comments@nefmc.org>
Subject: Scallops Amendment 21 Public Hearing Comments

Dear Director Nies:

I'm writing to ask the Council to select the preferred Northern Gulf of Maine (NGOM) alternatives in Amendment 21.

I've been to a lot of meetings over the past few years, asking for a fair shake in the NGOM. I'm not usually one for meetings - I'd rather be on the water, but I've found if you don't pay attention and make your case there's a good chance you're going to lose out on something you thought was a sure thing.

That's why I'm writing now: Amendment 11 made it pretty clear the NGOM was established so boats like mine wouldn't lose access to the scallop resource off our home ports. I've got to hand it to the Council (which is something I don't ordinarily do) for having the foresight to establish a whole separate area just to be fair to small boats like mine based in northern New England. We stay close to home and weren't capable of catching scallops from 2001 to 2004 because the resource in our area was in the toilet in those years. So hats off to the Council for setting up the NGOM and saying "OK guys, you can't fish south of 42 20 because you don't have history between 2001 to 2004, but when scallops return to your waters, you're going to be able to fish for them, just like fishermen from your area have for over a century" with this permit. That was mighty reasonable of you.

But even though Amendment 11 made it very clear that the NGOM was set up so guys like me could fish for scallops when they came back in the GoM, I'm now hearing people claim we should be satisfied with just 500,000 pounds or less and let the rest of them go to the big boats because we "didn't qualify" for more than that. WHAT? I mean seriously, WHAT??? The NGOM was created BECAUSE we weren't able to acquire history from 2001-2004. The hypocrisy is pretty crazy. The Council said "OK guys, we know you couldn't catch scallops between 2001 and 2004 because you fish the Gulf of Maine and scallops were busted in those years, so we're going to create a whole new area for you" But now, because the big boats want the lion's share they always get, we're supposed to be happy with a tiny share of the scallops off our shores because we don't have history between 2001 and 2004? I mean seriously, why did the Council create the NGOM again???

My NGOM permit doesn't let me fish for scallops south of 42 20. But it's SUPPOSED to ensure I get to fish in my own area, and I don't see anything in Amendment 11 that says I'm supposed to be satisfied with a tiny sliver of the fishery up here. And I sure don't see anything that says this area is going to be set aside for us, but only if there aren't many scallops here.

If it were up to me, we'd get even more of the scallops than they suggest in the preferred alternative, but I get it - I know we need to compromise and come up with something. And I also know boats like mine aren't the only ones who ever fished up here. I've heard stories about big boats from the south coming up here to fish in the 1980's, and if the resource keeps building

there will be enough for everyone. That's another reason I don't understand why anyone would oppose the preferred alternative: it gives us small boats a good chunk right off the bat, but only 25% of them after 600,000 pounds, and 5% after 3 million pounds. The Federal scallop fishery is a 50 million pound fishery. We're talking about giving us guys less than 2% of it even in a best case scenario for us.

Scallops in the Gulf of Maine are going to come back, and when they do, it makes a lot more sense to have the boats that catch them buying ice and gear in ports from Sorrento to Boston than it does to have them all caught by trip boats headed to and supplied from New Bedford.

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 actually agree with the other preferred options in Amendment 21 when it comes to the NGOM as well. We need to have good research and monitoring and it certainly doesn't make sense to tell us when we can fish: just give us the quota and let us decide.

I'd like to thank the Council (again, not something I do easily) for setting up the NGOM and for picking some good options as preferred alternatives in Amendment 21. I hope these alternatives are selected and approved at the next meeting, because it would mean a lot to me, and I know it would mean a lot to communities up here in Maine who have well over a century of history when it comes to fishing for scallops in the Gulf of Maine. Thank you.

Yours truly,

Russell Parmenter
F/V Patricia Ann
NGOM Permit #149915

Sent from my iPhone

From: Ron Tak [mailto:rtak825@gmail.com]
Sent: Thursday, September 03, 2020 4:07 PM
To: comments <comments@nefmc.org>
Subject: Scallop Amendment 21

Director Nies,

My son-in-law is originally from Portland and has family on Long Island, most in the lobster/scallop business. These are hard working small businessmen who have been hit hard by the economic effects of Covid-19.

On behalf of them, I would ask that you strongly consider allowing the small local fisherman to not be swept away by the large fleets. Please allow them to have their fair share of the harvest and not be put out of business.

Respectfully,

Ron Takakjian

rtak825@gmail.com

Congress of the United States
Washington, DC 20515

September 4, 2020

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

Re: Atlantic Sea Scallop Amendment 21 Public Hearing Comment

Dear Director Nies:

I write to you to comment on the Amendment 21 to the scallop fishery management plan and in strong support of the preferred alternatives that were selected by the Council this spring. I urge the Council vote in support of these alternatives.

As a representative for and resident of Maine who cares deeply about the working waterfront and Maine's fishing communities, this action is incredibly important to protect access to the scallop fishery for Maine's fishermen. While Maine is known for our lobsters, many of our small boats participate in a variety of fisheries throughout the year. Scallops are a very important part of that diversification for our fishermen, and the federal scallop fishery is an opportunity for those who traditionally fish in the Gulf of Maine that we must protect, steward, and preserve. For the first time in a long time, scallops are rebuilding in the Gulf of Maine. The return of scallops to federal waters offers a fantastic opportunity for Maine's fleet.

The issue of greatest importance in Amendment 21 for many of us is in the allocation split. The Council chose Alternative 2 Option 2 as their preferred alternative. This choice would create a set-aside trigger of 600,000 pounds. Pounds over the trigger would be split 25% for the Northern Gulf of Maine (NGOM) set-aside and 75% for the NGOM Annual Projected Landing (APL) up to three million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL. This would allow small, inshore boats access while the biomass is low, but all vessels would be able to fish once the biomass grows to a size that can support the larger fleet. This option provides adequate access and represents a compromise that will support a sustainable fishery.

This action has the potential to be one of the most impactful decision points that will impact the Maine scallop fleet for years to come. I urge the Council to support fair and equitable access for Maine fishermen to the scallop resource in the Gulf of Maine.

I appreciate your attention to this important matter.

Sincerely,



Chellie Pingree
Member of Congress

From: Sara Jenkins [mailto:jenkins.sara@gmail.com]

Sent: Thursday, September 03, 2020 9:52 PM

To: comments <comments@nefmc.org>

Subject: Scallop Amendment 21

Dear Director Nies:

(I'm writing you as someone who worked all over the globe before returning to Maine to open a restaurant dedicated to the great local product available here).

As a chef, I can tell you my customers are hungry for local, dayboat seafood. I've been excited to include dayboat scallops on my menu, primarily from December through April to coincide with Maine's state water season. In the past few years I've also been able to include local dayboat scallops in May and June thanks to the Northern Gulf of Maine Scallop Fishery. I would love to be able to include local dayboat scallops throughout the summer.

I hope you'll support the preferred NGOM alternatives, which allow small, local boats to continue to fish just as they have for more than a century of fishing in the Gulf of Maine. While I understand that scallops in the Gulf of Maine will be caught no matter what, I certainly prefer to feature dayboat scallops on my menu. I know the difference between a true dayboat scallop and a trip boat scallop and so do many of my customers. And it's my understanding that the Northern Gulf of Maine Scallop Management Area was created originally to preserve access for small boats from northern New England, so it only seems fair to allow these boats, along with me and my customers, to benefit from a recovering resource.

Please ensure small dayboats are allowed to extend their season beyond just a few weeks as the scallop resource in the Gulf of Maine recovers. Doing so is good for my restaurant, for my customers, for communities and the fishermen. Plus, it's just plain right.

Thank you,

- Chef

Sara Jenkins

--

Nina June, 24 central Street, Rockport, ME., 04856
207-236-8880

September 3, 2020

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

Subject: Scallop Amendment 21 Public Hearing Comments

Dear Mr. Nies,

Action 1: I support accounting for the scallop biomass in the NGOM area as part of the ABC and OFL. However, fishing will never be profitable for my region's LAGC IFQ vessels with a limit of 200 pounds. It is unfair that the area is so easily accessible to LA vessels, and that they can catch so much in that area in comparison to LAGC IFQ vessels.

Action 5: I support the preferred no action for the NGOM fishing season.

Action 7: I do not support the Council's preferred alternative of increasing LAGC IFQ possession limit to 800 pounds in access areas only. I urge the Council to consider Alternative 3, option 1, increasing the LAGC IFQ possession limit to 1200 pounds per trip for both open and access areas. The low possession limit has resulted in a "derby" effect, pushing fishermen to sail on trips in riskier weather than they might otherwise fish. Additionally, the low possession limit drives up costs for the LAGC IFQ fleet. As we more commonly go further offshore to access scallops, the Council must consider the negative economic impacts of a possession limit as low as 600 pounds. I do not believe the increase to 800 pounds is enough to alleviate these problems. Allowing a higher possession limit of 1200 pounds per trip will help reduce the "derby" effect in the LAGC fleet, therefore encouraging safer fishing practices. This increase to 1200 pounds per trip would also balance the increasing trip costs to small-boat fishermen.

Action 8: I agree with the Council's preferred alternative to prorate the daily compensation rate in 12-hour increments for observed LAGC IFQ trips longer than one day.

I understand that the Council is not considering a weekly limit, but I believe this should be reconsidered. In all other IFQ fisheries, fishermen are able to harvest at their own rates according to how it fits best into their business plans. Current LAGC IFQ regulations are inefficient in terms of costs and environmental impacts. 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.

Thank you for the opportunity to comment.

Sincerely,

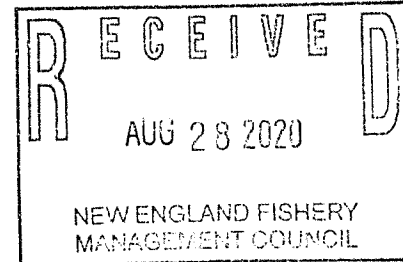
Scott Rorro
F/V Sea Hunter
Provincetown, MA



Mass Fabricating & Welding, Inc.

1 - 5 Cape Street • New Bedford, MA 02740 • Phone (508) 993-9505

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



Director Nies:

I am writing to express my concerns and objections to the Scallop Amendment 21 plan. Amendment 21, as it is currently proposed, is creating an exclusive fishing right to a group of individuals who did not originally qualify for a federal scallop permit.

Northern Gulf of Maine (NGOM) permit holders were traditionally a multi-species fishery and had very little or no record of scallop landings. In recognition of this Amendment 11, which created the NGOM fishery, did not require proof of scallop landings. In issuance of the NGOM permit they were restricted to a 200 pound a day catch limit with a 70,000 pound overall total allowable catch. Once the 70,000 lb. limit was reached the NGOM and Limited Access General Category (LAGC) fleet was no longer able to fish in the Northern Gulf of Maine. The Limited Access (LA) fleet, was not subject to the total allowable catch restrictions and was able to continue fishing in the NGOM.

Recently, the regulations have increased the Total Allowable Catch for the NGOM from 70,000 lbs. to 200,000 lbs. and has denied the Limited Access vessels the right to fish in the Northern Gulf of Maine with the exception of fishing under a Research Set Aside (RSA) trip. Amendment 21 as it is currently proposed will effectively deny the Limited Access fleet the right to fish in the Northern Gulf of Maine federal waters despite the Limited Access fleet's historic and documented NGOM trips while giving the NGOM permit holders exclusive fishing rights in the NGOM.

The Amendment 21 proposal that will be brought before the Council asks for a 600,000 lb. set aside for the NGOM permit holders with a 75/25 split. The Limited Access fleet and the Limited Access General Category fleet would share the 75 percent split while the NGOM fleet will have sole access to the 25 percent share. Under this scenario, in order for the LA fleet to have the right to harvest one million pounds of scallops, approximately 3,000 lbs. per vessel, the NGOM Total Allowable Catch would have to be over 2 million pounds. This 600,000 lb. set aside with a 75/25 split proposal makes it impossible for the Limited Access fleet to fish in their historic fishing grounds.

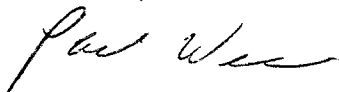
By creating an exclusive fishing right in the NGOM the Council will not only violate the Magnuson-Stevens Act National Standard no. 4, but will also create an incentive for the NGOM permit holders to abandon their traditional multi-species fishing heritage and become a full time scallop fleet. Currently there are about 40 vessels that are actively fishing their NGOM permits, however, if the Council creates the exclusive fishing rights in the NGOM then the 340 qualifying NGOM permit holders will enter the scallop fishery which will completely change how the NGOM fishery operates. The original intent in creating the NGOM permit class was to help the small, multi-species fishing operators by offering them an additional resource to fish. It was not intended to create or grant exclusive fishing privileges.

It is a testament of the political might of a group of people who had no recordable scallop landings is now on the verge of having exclusive scallop fishing rights in federal waters. During deliberations the Scallop Advisory Panel recommended, in a show of good faith and compromise, to support the 500,000 lb. allocation with a 95/5 percent split by a vote of 13/0/1. The Scallop Committee did not offer a preferred alternative. This compromise was not good enough for the NGOM permit holders and their supporters, so the Council recommended the 600,000 lb. 75/25 split.

It is extremely important that the Limited Access vessels maintain their full and unfettered access to the Northern Gulf of Maine. Today we are seeing entire species of fish move further north. For example, once there were plentiful scallops in the DelMarVa area, but as the waters became warmer, the scallops have migrated north or disappeared from that area. If this trend continues then we may see the Northern Gulf of Maine become a vitally rich fishing ground. In addition to the concerns about the northern migration of the scallop resource the Limited Access fleet is also fighting against the offshore wind developers who are attempting to take away historic scallop fishing grounds. With the warming waters and the migration of scallops, the threat of losing valuable fishing grounds to the wind developers and now the proposal to deny the Limited Access fleet the right to fish in the Northern Gulf of Maine the Limited Access fleet is looking at the erosion of their traditional fishing areas.

Due to the migration of scallops, the potential loss of fishing grounds to offshore wind and the illegality of creating an exclusive fishing right I urgently recommend the Council to vote for the 600,000 lb. set aside with the traditional 95/5% split as the preferred option.

Sincerely,



Paul Weckesser

W. William Anderson

702 Dixie Road
So. Trescott, Maine 04652
Phone (207)733-2179
Fax (207) 733-2442

September 2, 2020

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

Dear Mr. Nies

I would like to provide comments on the Draft Amendment 21 to the Atlantic Sea Scallop Fishery Management Plan.

In 6.1.1 I can agree with the Alternative 2 the preferred alternative.

In 6.1.2 I can agree with Option 2 the preferred alternative. But when sharing is triggered the smaller Northern Gulf of Maine boats should be allowed to catch their 600,000 pound or whatever allocation the NGOM is allocated. Before the other much larger boats are allowed access to the NGOM area. This is for safety reasons and past experiences with these much larger boats sharing the area with the smaller NGOM boats at the same time. This area was created for these smaller boats to have a place to fish. We are limited to 200 pounds per day and 10.5 ft. of dredge, while some other boats with different permits can tow 30 feet of dredge and stay 24 hours a day for any number of days. Is this correct? Something does not sound right here if everyone is allowed in on opening day. We would not stand much of a chance of getting much of the allocation. Maybe there are other rules that apply to these larger boats that I do not know about. It looks to me like there are two reasons we should be allowed to catch our share of the allocation first, safety and our limitations.

In 6.1.3 I can agree with Alternative 2 the preferred alternative.

In 6.1.4 I can agree with Alternative 2 the preferred alternative.

In 6.1.5 I can agree with Alternative 1 the preferred alternative.

In 6.1.6 I would select Alternative 2, 10.5 ft of dredge is the limit for NGOM boats. All boats should be limited to one dredge of 10.5 ft. If they wish to fish in the NGOM area. This area was created for the smaller boats to have a place to fish. We lost the right to fish in other areas. If you have a permit that grants you some access to the NGOM area. You should be welcome to fish in the NGOM but everyone should be limited 10.5 ft dredge.

I have been fishing in the NGOM with a 5.5 ft dredge and get my limit every day. If there is anything there. I fish out of a 50 foot boat so I could easily use a larger dredge and I also own larger dredges. I could talk more about why I fish

with a much smaller dredge. But if there are scallops there I will find them.

I do not hold a LAGC IFQ permit so I will not comment on these management measures.

Sincerely,

A handwritten signature in cursive script that reads "W. William Anderson". The signature is written in black ink and is positioned above the printed name.

W. William Anderson