

#5

**From:** [togue@mainedayboatscallops.com](mailto:togue@mainedayboatscallops.com) [mailto:[togue@mainedayboatscallops.com](mailto:togue@mainedayboatscallops.com)]  
**Sent:** Friday, November 07, 2014 10:30 AM  
**To:** Deirdre Boelke  
**Subject:** FW 26 Comments: support for Alternative 2.5.3

Hello Deirdre and members of the Scallop AP and Scallop Committee:

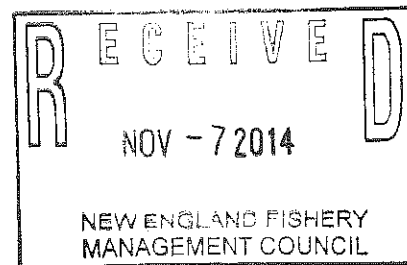
I am writing to ask you to recommend Alternative 2.5.3 in Framework 26. This alternative will give individual states the ability to craft State Water Exemptions if and as they wish to allow Federally permitted scallop fishermen to participate in state water scallop fisheries regardless of the status of the NGOM TAC.

The state of Maine has a sustainably managed scallop fishery that is a critical component of the winter income of many Maine fishermen. Those Maine fishermen that hold Federal scallop permits have historically been more active (and therefore more dependent on) the scallop fishery those fishermen who hold only a state permit. It makes no sense to prevent Federally permitted scallop fishermen from participating in the state water fishery simply because the TAC in Federal waters has been harvested. Prohibiting these fishermen from participating in the state water fishery will have *no biological impact* on the scallop resource in Federal waters. It is also unlikely to have any biological impact on the resource in state waters, since the state of Maine employs a trigger mechanism to shut down areas once they believe a certain biomass has been removed.

I understand that individual states may wish to handle this issue differently. It is for this reason that I ask you to recommend Alternative 2.5.3, which will allow states to handle this issue in a way that best suits their needs. Thank you for your work on this matter that is so important to Maine fishermen.

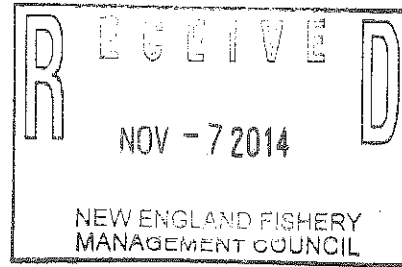
- Togue

Togue Brawn  
[www.mainedayboatscallops.com](http://www.mainedayboatscallops.com)  
207.838.1490  
TASTE THE DIFFERENCE A DAY MAKES™



#5a.

**From:** Kristan Porter [mailto:kbporter5@roadrunner.com]  
**Sent:** Friday, November 07, 2014 10:56 AM  
**To:** Deirdre Boelke  
**Cc:** [togue@mainedayboatscallops.com](mailto:togue@mainedayboatscallops.com)  
**Subject:** Scallop FW



Deirdre

I would like to urge the Scallop Committee to support amendment 2.5.3 to FW 26 of the Scallop Management Plan.

As a NGOM permit holder I feel that this amendment adequately addresses the issue of being able to fish for scallops in state waters after the NGOM TAC has been reached. I would like to thank the Committee for working to solve our concerns in such a timely matter.

Thank You  
Kristan Porter  
Permit # 150227

Comment Received November 10, 2014

Dear members of the Scallop Advisory Panel and Scallop Committee:

I am writing to remind you of the importance of removing the prohibition on fishing in Maine state waters after the NGOM TAC is reached. I thank you for taking up this very important matter, and ask you to support Alternative 2.5.3. The state of Maine scallop fishery is an exceptionally important part of my yearly income. I and many others have sacrificed greatly to rebuild our state fishery, and we are finally seeing the benefits.

Now that the Northern Gulf of Maine is starting to look promising, we may find ourselves shut out of the state fishery we helped rebuild. The fact that NGOM waters are finally rebounding as well should not prevent fishermen from fishing in the healthy Maine state fishery.

I understand that different states may wish to handle this matter differently, which is why I am asking you to support Alternative 2.5.3. Please support this alternative, which will help fishing families like mine **remain** fishing families.

Thank you for taking up this important matter.

Sincerely

Alex Todd

F/V Jacob and Joshua

Maine Scallop Advisory Council Chairman

4. Scallops - November 17-20, 2014

#5c

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

From: w j [mailto:[talkswithcrows@yahoo.com](mailto:talkswithcrows@yahoo.com)]

Sent: Monday, November 10, 2014 5:24 AM

To: Deirdre Boelke

Subject: scallop alternative

Dear Members of the Scallop Advisory Panel and Scallop Committee:

I am writing to ask you to recommend Alternative 2.5.3 in FW 26. This Alternative allows states to craft State Water Exemptions to allow Federally Permitted Scallop fishermen to take part in their state water fisheries if the NGOM TAC is reached if and as they see fit.

Maine's state water scallop fishery is a critical component of my winter income. It is also important to many other Maine fishermen who hold Federal Scallop permits. None of us should be forced to sit at home while our neighbors participate in Maine's state water fishery simply because we hold Federal permits.

This is a very important issue to me and to a number of other Maine fishermen. I urge you to support Alternative 2.5.3 so that the state of Maine can craft a State Waters Exemption to the prohibition that currently threatens my ability to take part in Maine's state water fishery. I would also like to underscore the importance of making sure this Exemption can be approved indefinitely rather than being something that must be requested annually. This is far too important an issue to be subject to annual approval.

Thank you very much for your attention to this important matter.

Yours truly,

Walter Jessiman F/V Dreamcatcher

November 8, 2014

Dear Members of the Scallop Advisory Panel and Scallop Committee:

I am writing to inform you that my first preference would be to support Options 2.2.2 and 2.2.3 in Framework 26, which will enable NGOM permit holders to participate in Maine's state waters fishery regardless of the status of the NGOM TAC. It would also allow states the ability to request exemptions for additional permit types if it seems appropriate. I also wanted to state that in the event that this seems unlikely, then I would support Alternative 2.5.3 as my second choice, which would allow the state of Maine to craft a State Waters Exemption that would enable me as a federal permit holder to participate in the state waters fishery upon which I depend on, as do many others. I would much prefer that as a NGOM Permit holder that the Council would put my first proposal into law, because the fishing industry could really use some stability at this time. Making the NGOM permit permanently exempt in my view could in fact do just that. At this time many federally permitted Maine boats and all of the families that depend on these vessels including mine would see this action as a very positive step.

Thank you for your attention to this important matter.

Sincerely, Ira Miller

4. Scallops - November 17-20, 2014

#5e

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

From: jim wotton [mailto:[cranberryislandlobster@yahoo.com](mailto:cranberryislandlobster@yahoo.com)]

Sent: Sunday, November 09, 2014 5:46 PM

To: Deirdre Boelke

Subject: NGOM Fix

Dear members of the Scallop Advisory Panel and Scallop Committee:

I am writing to ask you to support Alternative 2.5.3 in Framework 26.

As a Maine fisherman, I make my living by fishing for several species over the course of the year. The NGOM management area was established so that fishermen like me could fish for scallops in the federal waters of the NGOM if and when the resource recovered. But now, the recovery of the resource in the federal waters of the NGOM threatens my ability to take part in Maine's state water fishery, which is an important part of my winter income.

The state of Maine manages its waters responsibly. I hold a NGOM permit because scallop fishing is important to me. Fishermen like me should not be prevented from taking part in Maine's state water fishery simply because we hold a Federal permit. Excluding us from the state water fishery will have no biological impact on the Federal resource and will have little or no biological impact on the state water resource. But it will have a devastating economic impact on all of us.

It's my understanding that other states may wish to handle this issue differently than the state of Maine. I can't pretend to know how important this issue is in other states, but I can tell you first hand the state water scallop fishery is extremely important to many Maine fishermen, and we need this problem solved as quickly as possible. In the interest of getting that done, I urge you to support Alternative 2.5.3, which will allow each state to craft exemptions as they see fit through the State Waters Exemption program.

Thank you very much for addressing this important issue.

Yours truly, James Wotton, F/V Overkill Friendship, Maine

4. Scallops - November 17-20, 2014

#5f

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

From: Andrea Hunter [<mailto:hntandr2@aol.com>]

Sent: Monday, November 10, 2014 10:21 AM

To: Deirdre Boelke

Subject: Alternative 2.5.3 in FW 26

Dear Members of the Scallop Advisory Panel and Scallop Committee:

I am writing to ask you to recommend the Alternative 2.5.3 in FW 26 because it allows each state to solve the problem for its own fishermen. This Alternative allows states to create State Water Exemptions to allow Federally Permitted Scallop fishermen to take part in their state water fishery, regardless of whether or not the NGOM TAC is reached.

Maine's state water scallop fishery is a critical component of my winter income. This is how I support my family through the winter and spring months. It is also important to many other Maine fishermen who hold Federal Scallop Permits. None of us should be forced to sit at home while our neighbors are participating in Maine's state fishery simply because we hold Federal Permits.

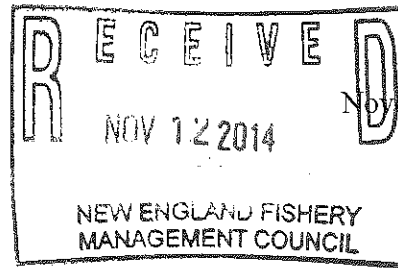
It is my understanding that the State of Maine is eager to solve this problem, and I urge you to support Alternative 2.5.3 so that the State can create a State Water Exemption to the prohibition that currently threatens my ability to take part in the Maine's state water fishery. I would also like to stress the importance of making sure this Exemption can be approved indefinitely rather than be requested annually. This is an issue that is very important to me and my family along with a number of other Maine fishermen and their families.

Thanks you for your attention to this important matter.

Sincerely,

Thomas C Butler Jr, F/V Ericajade  
NGOM Permit Holder

#56



November 12, 2014

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

Dear Members of the New England Fishery Management Council:

We are a group of general category scallop fishermen who fish out of ports up and down the northeastern coast, and the businesses that depend on these fishermen. Please support Mr. Dempsey's motion, tabled on October 1, 2014: "Add to the list of scallop priorities: measures to address localized depletion of inshore areas and to mitigate impacts on the LAGC IFQ fishery." In the middle of a groundfish disaster, this prioritization is something positive and proactive the Council can do for our fishery.

The Council created two very different fisheries within its scallop management plan: limited access and general category. This management plan has been one of the most successful plans in the region and has increased both the amount of scallops in the ocean and the amount that we're allowed to catch. But there are some issues that need to be fixed in order for our two fisheries to work well together. Limited access fishermen use big, efficient boats to fish a scallop stock down before moving on to the next area. To them, it doesn't matter as much if those areas are far away, because they have the equipment to make it offshore. Meanwhile, we general category fishermen use small boats to fish inshore and need the scallop stock close to shore to stay stable in order to do so.

To be clear, no one can argue with the success of the limited access fishing methods, and we don't want to change that. However, we do think the Council should prioritize and discuss how to protect the stability of the inshore fishery, which relies on access to relatively high levels of scallop year after year. Of course, as with any fishery, there will be years when the stock is high and years when the stock is low. But we think that we can and should take action to avoid the lowest lows, like those we're currently seeing, to make this fishery the best it can be overall. We are looking forward to working with all interested fishermen and groups to reach that goal. Fisheries Survival Fund has already reached out to us to begin those conversations, but we need the discussion to be prioritized at the Council level so that we can collaborate more formally.

We're asking you to allow us to discuss these issues with the limited access fleet in our Advisory Panel and Committee meetings so that we can come up with a solution that works for everybody. We want to work with our fellow fishermen so that we can keep fishing. Please let us do so by prioritizing this discussion. Thank you for your consideration.

Sincerely,

Capt. Bill Amaru  
F/V Joann A

Capt. Tye Vecchione



*F/V Bada Bing*

Capt. Tom Reilly

*F/V Three Graces*

Capt. Andy Falcone

Capt. Josh Alexander

Capt. Christopher W. King

*F/V Donna Marie*; Owner and CEO, Cape Tip Seafoods; Owner, Orleans Seafoods

Capt. Willis L. King

David Nadeau, Crew

Anthony Avalonne, Crew

*F/V Donna Marie*

James Day, General Manager

Jared King, Shipping and Receiving

Scott Johnson, Distribution

Lowell Brundage, Driver

T. Lawrence Mackin, Driver

Cape Tip Seafoods

John D. White, Owner

James J. Tasha, Jr., Retail Manager

Shawn Cahoon, Wholesale Operations

Eric Smith, Facilities Manager

George Colley, Jr., Distribution

Orleans Seafoods

Capt. Bob Keese

*F/V Beggars Banquet*

Capt. Andy Keese

Russell Heuburger, Crew

Eric Hsai, Crew

Alane Keese

*F/V Miss Rockville*

Capt. Mike Marchetti

Eastern New England Scallop Association

Capt. Chris Merl

*F/V Isabel and Lilee*

Denice Lapierre  
Aidan's Pride Inc.

Eddie Ritter

Zack Storer

Nathaniel Tesson

David Young

William Young

Russell Murphy

Russell Murphy Jr.

Chris Yazel

Sean Rose

Keith Rose

Max Nolan

Steve Merl

Tyler Tomasek

Zack Tomasek

Dan Rowell

Pete Brundage

Mike Ziemba

Chris Miner

Mathew Gregory

Michael Gregory

John Clark

Jeremy Santos

Peter Cabral

Jerry Auch

John Dowd

Eric Mathews

River Gamsey

Noah Schenk

James Gray

Sean Gray

Jon Nordahl

Karen Nordahl

Seb Frawly

Steve O'brien

Tim Sherlock

Keith Reeves

Chris Malewski

Liam Hogg

Ken Kipp

Jack Bassett

Joel Carreiro

Brian Rickman

Jill Prager  
Wellfleet Marine Corp.

Samuel Pickard

Alfred Pickard  
Boathouse Fish Market

Jeffrey Pickard  
F/V *Emma Irene*

Stephen Pickard  
F/V *Uptown Girl*

Donna Pickard  
Taves Boatyard

Angie Osowski

Craig Poosikian

Seth Whalstrom

Capt. Jerry Austin

Barbara Austin

Bridgette Kennedy Badams

Ethan Turner

Capt. Matthew Bunnell  
Jennifer Bunnell  
F/V *Petrel*

Steven J. Doyle  
Sandwich Ship Supply

Daniel Christensen  
Faren Chausee  
F/V *Artemis*

Phil Michaud  
F/V *Charger, Susanne A III*

Tyler Putney  
F/V *Charger*

Tyler Daly

Damian Parkington  
*F/V Roen Keil*

Frank Travers  
*F/V Three Reasons*

Ben Travers

Chris Milewski  
*F/V All In*

Mike Milewski  
*F/V Idle Hour*

Randy Rovatty  
*F/V M.E.J.*

John Basile

Matt McPartlan  
Wellfleet Steel Works

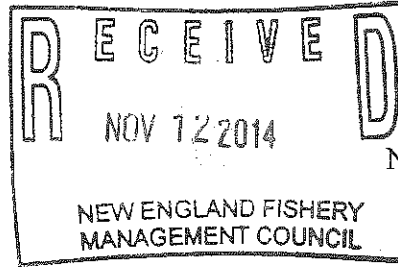
Adrian Kemiak  
Hatch's Fish Market

Rex Mckinsey  
Provincetown Harbormaster, MacMillan Pier Manager

Paul Garganigo  
Seamens Bank Commercial Lending

Phill Howarth  
Goose Hummock

Dave Deschamps  
Nauset Marine



#5#

November 12, 2014

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

Dear Members of the New England Fishery Management Council:

We are members of the Cape Cod community who are worried about the future of our small-boat fishing fleet. In order to protect our community, we urge you to support the motion tabled on October 1, 2014: "Add to the list of scallop priorities: measures to address localized depletion of inshore areas and to mitigate impacts on the LAGC IFQ fishery." Doing so would be a huge step towards making sure the Cape continues to thrive in the future.

The Cape's economy revolves around fishing communities, curiosity about fishing, and eating fresh fish. In the summer, tourists flock to the piers and the beaches on the Cape expecting to see fishing families working on small boats as they've done for centuries. And while they're here, those tourists become the lifeblood of our local businesses. Every single one of our jobs is affected by the small-boat fishing industry.

That's why it's so important to us that you support our dayboat scallopers and help them keep fishing close to shore. If we lose the dayboat fleet, we lose not only the businesses that rely directly on them, but also the tourists. We lose jobs, livelihoods, and a community. We need you to help our small-boat scallopers work with the bigger boats.

As a community, we all feel it's essential to protect our fisheries. Directly or indirectly, we're all impacted by them. Please help us by voting through the tabled motion. Thank you very much for your time.

Sincerely,

Abby Rose

Christian Sparrow

Jaime Sparrow

Colleen Johnson

Nan Watts

Sam Brintnall

John Brintnall

Sarah Wilcox

Eddie Wilcox

Paul Johnson

Anne Crozier

Francis J. Crozier III

Jill Brookshire

Scott Brookshire

Jenifer Largey

Jack Largey

Diane Collins

Rob Collins

Dustin Collins

Jeannie McMakin

James McMakin

Michelle Osowski

John Carrier

Sabrina Kreber

Tabitha Kreber

Rachel Hunt

Terrence Doyle	Michelle Czarnecki	Jean Stanley
Felicia Daley	Cynthia Vecchione	Nicholas Houser
Laura Young	Lori Vecchione	Mark Lambrou
John Milliken	Gary McMakin	Jill Roderick
Randy Chow	Dena McMakin	Laura Weatherup
Brad Krum	David Lapierre	Greg Weatherup
Darrin Krum	Helmi Nye	Greg Baker
Seth Krum	Jamie Nye	Sherri baker
Bob Derow	Amanda Farrell	Amy Martin
Rose Derow	Tom Andrews	Matt Frazier
Keith Hayes	Stephen Farrell	Wendy Frazier
Roxanne Hayes	Suzanne Farrell	Lou Roy
Tom Hayes	Keith Reeves	Meika Whalstrom
Svetlana Gemborys	Colin Jacobs	Mike Escher
Mathew Gemborys	Michelle Martin	Tania Largey
Tommy Osowski	Amanda Martin	Ernie Largey
Larasa Osowski	Chris Rice	Natasha Largey
Jonathan Lavenets	Sean Brown	Davin Hautanen
Katie Lavenets	Kelly Micks	John Wallace
Barbara Zalesky	Christy Douglas	Darlene Wallace
Judith Merl	Louisa Gueke	Krista Wallace
Bridgette Creech	Patricia Farrell	Rick Wallace
Craig Butilier	Timothy Farrell	Karen Wallace

John Lapierre

Donna Lapierre

Russell Labbe

Andrea Labbe

Shannah Cullen

Amy Ayres

Ray Trautz

Pira Christo

Rich Bryant

Jen Bryant

Steve Douglas

Mellissa Wynn

Margaret Flanagan

Mary Traynor

Padraig Traynor

Jay Coburn, Executive  
Director  
Community Development  
Partnership



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# COMMONWEALTH of VIRGINIA

Office of the Governor

Terence R. McAuliffe  
Governor

November 13, 2014



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

Dear Chairman Stockwell:

I appreciate the Council's ongoing efforts to address the inability of Virginia-based scallop vessels to bring open area trips back to Virginia's ports. While the scallop fishery has been successfully managed for biological sustainability, Virginia's landings of the species have declined precipitously in recent years. These declines are substantially attributable to the unique inability of Virginia scallop boats to return to their home port off-the-clock when fishing open areas. At this stage in the development of Framework 26, I would encourage the Council to support option 2.8.4 (enabling southbound vessels to clock out at Cape May) as a preferred alternative in the framework to remedy this situation.

Scallops have been the dominant species in Virginia's commercial fisheries since 1978, and have supported one of our best performing fisheries until very recently. Virginia's landings have declined by over 70 percent from 2009 through 2013. This alarming decline in landings imperils the economic viability of Virginia's working waterfronts, and threatens to sever our coastal communities' longstanding social and cultural connections to this historically important fishery.

To the extent that the Council uses "Days-at-sea" to manage this fishery, the management plan should ensure that scallop boats have fair access to and from the fishing grounds throughout the range of the fishery, without disadvantaging fishing communities on the arbitrary basis of their geographic proximity to navigable waters inside the demarcation line. Option 2.8.4 will enable Virginia-based vessels to clock-out at Cape May, New Jersey, which will help to mitigate the present disincentive to bring open area scallop trips back to Virginia ports.

Sincerely,

Terence R. McAuliffe

TRM/kfs

Terry Stockwell, Chairman  
November 13, 2014  
Page Two

cc: Richard B. Robins, Jr., MAFMC  
John K. Bullard, GARFO