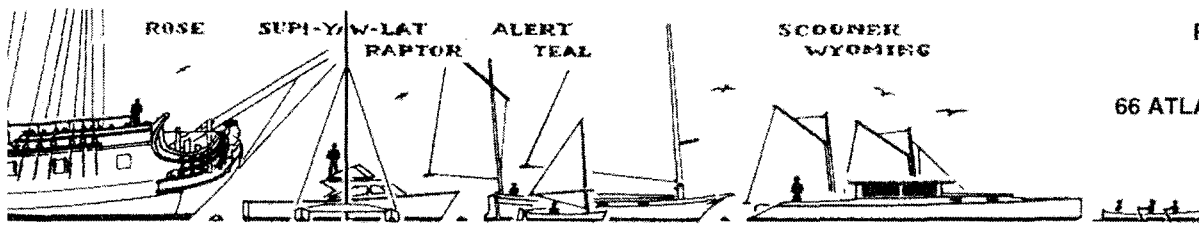


CORRESPONDENCE



PHIL BOLGER & FRIENDS, INC.
BOAT-DESIGN SINCE 1952

66 ATLANTIC STREET / P.O. BOX 1209
GLOUCESTER, MA 01930, USA
FAX 978-282-1349
philbolger@comcast.net

"No Sustainable Wild-Caught Seafood in Massachusetts ?"

- The Dark Legacy of High-Carbon Dictates -

For many the idea of a dish of *fresh wild-caught fish* is hard to argue with. Typically never touched by growth-hormones, nor antibiotics, not genetically modified, nor raised in horrendous 'production'-facilities, the mostly fast-growing and thus 'young' species will usually have no environmental toxins in their tissue, meaning they are fit to serve infants and granny alike.

Here in New England, Commercial Fishing is our oldest industry, started in 1623 as a private enterprise out of Great Britain, with its first shore-side settlement growing into **America's Oldest Fishing-Port, Gloucester**. Boat-Designers like us, Boat-Builders and Fishers would collaborate to build that Fleet across these centuries.

Initially the ocean was deemed an infinite resource. But after too often pursuing resource-damaging practices, this industry had to painfully learn the basics of 'Sustainability' by arduously searching for a viable balance of Resource-Ecology with Business-Economics *to not lose both*.

The 1976 Magnusson-Steven Act (MSA) was the first comprehensive national attempt to balance the interests of the public in a *sustainable seafood* management system with the interests of small and larger fishing-businesses – always a demanding contentious task. But a lot of progress has been made.

However, regulatory confusions from **poorly-conceived elements in well-meant rules can still end up undermining the whole project**. One causing grave harm to industry and resource is found under **FEDERAL REGISTER of March 1, 1994, Vol. 59, No.40, under CFR 651, pp. 9872-9907 - in short, CFR-651**. Crafted apparently *without seeking input* from boat-technology-minded folks, CFR-651 attempted via pp.9886-9887 to dictate *Boat-Attributes* and thus Fishing-Capability to not outgrow the Resource - with the latter a good idea in principle. Except, that **of the three simple metrics** chosen to limit each boat, **two were unsuitable ones to in fact eventually result in indeed an unsustainable Fleet**.

While

- 1. *limiting a craft's maximum engine-power* will typically make sense,
- 2. *limiting it by length* will, however, inevitably produce inordinately short-&-wide ('obese') hull-shapes inherently uneconomical to run any distances, and
- 3. *limiting its 'tonnage'* has been a source of confusion, with a lot of definitions of 'tonnage' out there.

Regulatory leadership consisting of marine-biologists, administrators, legal minds, along with a limited public-input format, **had clearly overreached core-competencies - ironic, since** under MSA, New England's Regional Office of the National Marine Fisheries Service (**NMFS**) **is located here in our homeport Gloucester**.

If asked, designers and operators of boats would limit engine-power and limit the craft's actual weight ('displacement') as the most coherent metrics to limit its fishing-capability. Under these two measures each fishing-operation could since '94 have pursued the least fuel-intensive/'Least-Carbon' type of boat, from lean long mono-hulls to sprawling-but-light multihulls. After all, *dozens* of very lean ex-Navy (SC-1-class) WW-1 110' x 14'9" Trans-Atlantic-tested Submarine-Chasers, for instance, had been converted to fishing, with some working into the early 1970s – reliable off-shore working-platforms on proportions leaner than many kayaks.

Unfavorable operations-economics of **CFR-651-dictated types do not support likely slower since more selective Catch-Technology**, such as 'Choke-Species'-evading 21st-century Fishing-Methods to *only* take those species actually in abundance - *as in Haddock = Yes vs. Cod = No* - **to make Fishing indeed sustainable**.

Rec'd 9/29/22 - Council Mta

But due to an apparent *widespread lack of such boat-technical expertise*, none of the local-, regional-, and national players involved ever directly diagnosed CFR-651's far-reaching worst combination of both *anti-ecological and anti-economic characteristics*. Whether *industry-associations, universities, ENGOs, or state-, regional- and federal agencies, none ever took issue with the gist of CFR-651 across 27 years!* Indeed a 'Systemic Failure' when neither industry-leaders nor scientists appear to understand 'Sustainability'.

Late, but finally noticing and studying it since 2002, we raised the matter in public by March 2003, and saw NATIONAL FISHERMAN cover it in Sept. '04, and have discussed it many times since in all sorts of fora from conferences over talks to more periodicals. And we collected a spectrum of signatures against CFR-651.

However, turf-war reflexes by deeply-entrenched industry- and agency-leaders, even technical indifference (ignorance ?) by many ENGOs, along with plain *no interest in opening this public- and legal 'Pandora's Box'* around such *spectacular leadership-failures*, ended up resisting any such considerations. While in 2014 the incongruous 'tonnage' idea was finally eliminated as administratively unmanageable, by late 2021 CFR-651 still does not allow this broad diversity of low- and least-carbon hull-geometries to in turn support Advanced Highly-Selective Catch-Methods, all this amounting instead to a **federally-dictated 27-year arc of *Innovation-Prohibitions* on our Oldest Industry – here in Innovation-centric Massachusetts !**

The tragic since needless and painful consequences for fishing-communities like Gloucester are manifold:

- **1. Stagnation in Boat-Types, Hull-Geometries, Propulsion-Systems**, with even boats launched this morning showing only the 'best thinking' of pre-'94, at best slightly improved by a modern engine.
- **2. Stagnation in Fishing-Methods**, with CFR-651 craft economics typically *not supporting* urgently-necessary Highly-Selective 21st-century Fishing-Methods *to at long last become indeed 'sustainable'*.
- **3. Loss of Fishing-Port-Viability via *De-Industrialization*** due to our Fleet being forced to remain frozen in the early '90s, shrinking in numbers, tearing further into the deep wounds of Fishing-Industry Families,
- **4. Growing losses in port-related Jobs- and Tax-Base**, due to damage to our 400-year old 'economic engine', thus undermining our ocean-centric future. Lost taxes now are raised *elsewhere in the community*.
- **5. Losing standing as a Fishing-Port Tourist-Destination** as our typically dynamic port-activities wither.
- **6. Odd ideas of *Farming Out* the Fleet to New Bedford** would unjustifiably dictate the expense and carbon-debt of a 170 n.m. round-trip *before* going fishing east and north of Cape Ann, a truly weird idea by 2021.
- **7. Inner-Harbor Property-Owners** are stuck with under-performing assets without that modern Fleet.
- **8. Instead of fighting CFR-651 to boost this once highly-productive Seaport**, we see City Econ.-Dev. folks poach mismatched companies with incentives, like a Noodle-Sauce maker to be right on the Harbor's piers.
- **9. Damage to our marine-industrial *Innovation-Ethos***, with this significant commercial Fleet now decaying.
- **10. Not even any advanced State- or Federal *Least-Carbon Fisheries-Research- or Oceanographic-Vessels any time soon*** to demonstrate 21st-century economic and ecological opportunities *to the tax-paying project-financing public*, and the Fishing-Industry - never mind do coherent *Carbon-Sensitive Science* on !?
- **11. An historically-unprecedented Raw Deal for our Next Generations**, as young folks are unlikely to see much of any ocean-centric future *without* designing, building, using Least-Carbon Fishing-, Research- and, of course as spin-offs, *Pleasure-Craft*. In fact, who amongst them will be able to live in Gloucester ?

- 12. **Gentrification** rushes in, aggressively displacing the cruel *CFR-651-dictated marine-industrial decay*.
- 13. **Outside Expertise** has failed as well, with not even MA Municipal Harbor-Plan Specialists offering Community-Leaders guidance on pushing back against CFR-651-triggered erosion of our Port-Economies.
- 14. By late '21 *no separate NMFS-initiative* either towards a 21st-century Least-Carbon Fishing-Fleet.
- 15. **Privatization** of much of this *our Public Resource* into so-called 'Catch-Shares' by May 1, '10, heavily promoted as the *philosophical key to 'Sustainability'* by major ENGOs and Conservatives, clearly did not improve the industry's nor the resource's sustainability either. Ecologists attempting to do economic theory has proven to be as unproductive as Marine-Biologists putting confusions about boats into regulations.
- 16. Predictably perhaps in all these errors and confusions, the **MSA-Reauthorization effort** pending in Congress *still offers no explicit support* for a 21st-century Least-Carbon Fleet by correcting CFR-651 damages
- meaning apparently **NO "Green New Deal"** for our Oldest Industry amidst a rising climate-change crisis ?!
- 17. Exciting for the Uninitiated, beyond distractions the vague term 'Blue Economy' offers no solutions.
- 18. **In Summary**, after 27 years of Errors and Losses, *still no 'Sustainable wild-caught Seafood' (!)*, since this 30-/40-/50-years old High-Carbon 'oil-covered' Fleet simply *cannot plausibly claim* to be able to produce 'Sustainably-Caught' Seafood. There is already a **growing wave of legal cases** over Seafood labelled 'sustainably-produced' when the processes and hardware involved, *such as the boats*, plainly are not.

This Systemic Failure leaves Elected Folks on all levels utterly uncertain about any plausible next steps.

Here In Gloucester, interests, that *still do not propose to push back* against CFR-651, propose instead

- much more Gentrification, but no policies to revitalize our Port any,
- claim a greater future from our 3-4-months tourism than we know it can offer after 170 years of it,
- pointing for 'marine-industrial' justification to a few small-scale marine-scientific and –industrial ventures of the type we've always had, just *on the periphery* of our much larger core ocean-industries around Fishing. Their apparent assumptions seems to be that that approach could ever offer more jobs- and tax-base, and offer more dignity than sustainably doing our robust ocean-work 24/7/365/400+ - with Tourism on top.

So, just before its 400th birthday, *Gloucester may be selling out altogether* by loosening legal constraints on the limited existing Working-Waterfront properties to indeed allow uses *contrary to any marine-industrial future*, and may rule out for good any interest by our Next Generation in an ocean-future by leveraging skill-sets taught at that Inner-Harbor I4-C2 *Ocean-Innovation Vocational School* project, on the table since 2010.

Once our Ocean-centric future has been shoved aside in America's Oldest Seaport, these steps would be the final **irrevocable local policy-failures** to complement the grotesque federal CFR-651 policy-failures since March 1 '94, *to now inflict even more damage* on people, our port-economy - and indeed the resource with the '80s High-Carbon Fleet left-overs.

However, competent ocean-centric and thus *far more Economically-Ambitious Mindsets* may prevail.

Because, *once we've freed ourselves* from these unprecedented embarrassingly-absurd CFR-651 Innovation-Prohibitions, America's Oldest Working Waterfront would actually stop its decline and begin *growing again* by leading towards a Least-Carbon Fishing-Fleet and leveraging Sustainable Catch-Technology for another 400 years – *because we sure do know what needs doing, and the ocean will keep on offering*.

How else to get that **Sustainably Wild-Caught Seafood** ?

(1637 words)

Susanne Altenburger is the principal of Phil Bolger & Friends Inc. (PB&F), Boat-Designers since 1952 out of Gloucester. PB&F has produced over 680 buildable designs, 6 books with McGraw-Hill, nearing 700 articles on work for pleasure, commerce, science, and for defense to USN and USMC requirements. PB&F owns no share in any fishing-venture nor harbor-properties, nor commercially builds or trades boats.



New Hampshire Fish and Game Department

11 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Website: www.WildNH.com

TDD Access: Relay NH 1-800-735-2964
Fax: (603) 271-1438
Email: info@wildlife.nh.gov

Scott R. Mason
Executive Director

October 11, 2022

Marisa Trego, Ph.D.
ALWTRT Coordinator
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
NOAA Fisheries Service
Gloucester MA 01930

Reference: NOAA-NMFS-2022-0091 - NOAA Fisheries Notice of Intent To Prepare an Environmental Impact Statement on Modifications to the Atlantic Large Whale Take Reduction Plan To Reduce Mortality and Serious Injury of Large Whales in Commercial Trap/Pot and Gillnet Fisheries

Dear Ms. Trego,

The New England Fishery Management Council (NEFMC) representative, Cheri Patterson, on the NOAA Fisheries Atlantic Large Whale Take Reduction Team (ALWTRT) and Chief of Marine Fisheries of the New Hampshire Fish and Game Department, and Robin Frede (NEFMC) held a Gulf of Maine/Northeast (GOM) gill net industry hybrid caucus on October 5, 2022, with gill net harvesters and Sector Managers from Maine, New Hampshire, and Massachusetts and NOAA fisheries Decision Support Tool (DST) modelers Laura Solinger and Alicia Miller. The purpose of the caucus was to have an industry-based conversation on potential measures to be analyzed through the DST for risk reduction during the modification of the Atlantic Large Whale Take Reduction Plan to reduce further serious injury and mortality from vertical line fisheries to Right whales.

The following summary is not an 'official Gillnet Caucus proposal' at this time, but industry considerations of potential measures in the GOM. Below is the summary and tables of the GOM gillnet caucus's discussion and measures requested for DST analysis from the GOM/Northeast gillnet caucus. In addition, included is the Southern New England gillnet caucus's package which Dan McKiernan and Robert Glenn submitted separately with their other fisheries caucus packages. These measures represent ideas from preliminary discussions and the caucuses expect to refine possible measures when the DST analyzes these risk reduction proposed measures and presents to the ALWTRT.

REGION 1

629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2

PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4

15 Ash Brook Court
Keene, NH 03431
(603) 352-9669
FAX (603) 352-8798
email: reg4@wildlife.nh.gov

NE gillnet (GOM focus) caucus meeting summary, October 5, 2022:

The group examined risk reduction for a closure applied to April and May (the two months with the most risk from lines for gillnets) in all areas in the GOM west of the 70 degree W longitude line running from the shore of Cape Cod up to the shore of the Maine coast (an area with high co-occurrence) for all gillnet fisheries. A preliminary model run during the caucus meeting showed an estimated 58% risk reduction relative to total risk from gillnets for this measure (Table 1). Note that the NOAA modeler used a rough estimate for the spatial area and a refined shape file should be used for this request.

Table 1: GOM gillnet preliminary risk reduction analysis:

Fishery	Constraint	Region	Season	Estimated Risk Reduction
Gillnet – all fisheries	Closure, 100% lines out	West of 70° W longitude	April 1 – May 31	58%
Preliminary run during caucus meeting, need to refine shape file				

Building off this, the group then identified a request for a package of measures to be analyzed in the DST that would examine measures applied to April and May in the area west of 70 degrees W longitude, but offers a split in measures between the area north and south of 42 degrees 20 minutes N latitude. This was seen as a way to balance risk reduction measures across different gillnet fishery operations, with those fishing in Mass Bay/Stellwagen seeing April and May as important times of year for their fishing operations. For the area north of 42 degrees 20 minutes there would be a closure of 100% lines out of the water applied, and for the area south of 42 degrees 20 minutes this would be a paneling up measure. The group recommended examining 22 nets/rawl as this is the current maximum allowed under the Northeast Multispecies Fisheries Management Plan and would hopefully balance other issues like gear conflicts and other protected species bycatch concerns. For this measure, the group requests examining this with measures applied to April and May as well as applied to each month only for comparison. Through follow up correspondence, the group further modified the requests for the northern boundary of the applied area to be 42 degrees 30 minutes N latitude. This was the result of additional input from gillnet fishermen fishing out of Gloucester and the South Shore. While acknowledging that this would open up more area, gillnetters fishing in this area would like to have the risk analyzed within a small box (coordinates below) and everything else except this box could be closed west of 70 degrees W longitude during April and May. There is still the expectation that increasing the panels per string or using a buoy cap within this narrow area would be needed. The coordinates of this box would be:

- NW point: 42 30' N, 70 20' W
- SW point: 42 20' N, 70 20' W
- SE point: 42 20' N, 70 15" W
- NE point: 42 30' N, 70 15" W

Additionally, the group identified interest in exploring an endline cap and recommended analyzing an option applying a 10-endline limit per permit for all gillnet fisheries in April and May. Measures requested for analysis are included in Table 2.

The caucus discussed other ideas, recognizing that some of these may be beyond the scope of the DST to model or are unable to be considered at this time by the ALWTRT, but would like to include them as potential other risk reduction information to consider outside the DST. The group also discussed concerns about whether the gillnet data in the DST is reflective of recent declines in gillnet effort. As a result, the caucus would recommend using the *most recent available fisheries data (up to 2021)* to assure the risk is measured based on the current GOM gill net activity.

Dynamic area management:

The group is interested in exploring options for dynamic area management, particularly for gillnet vessels operating under the Northeast sector program as the sector system is seen as a unique opportunity that could provide the flexibility and responsiveness for sector managers to communicate with their sector members to get gear out of the water when Right whales are sighted in an area. It was noted that the small number of gillnet vessels operating currently in the GOM makes this reasonable. However, the group recognized that besides the limitations NOAA Fisheries has for implementing dynamic area management under the standard regulatory process, the current level of data collected on Right whale sightings is not sufficient for this level of monitoring.

Current sector exemptions allowing flexibility for gillnets:

The group discussed current sector exemptions approved for Northeast sector vessels that allow flexibility for gillnets targeting monkfish (e.g., an exemption that allows vessels to fish an additional 50 nets if targeting monkfish in the GOM under certain circumstances) and how these could be examined and potentially modified to reduce the number of nets in the water, particularly during seasons with high co-occurrence with whales.

Gillnet data in the DST:

The group discussed concerns that the gillnet data in the DST (2017-2020) may not reflect recent declines in gillnet effort. However, it was also noted that there are not currently management measures that cap or remove latent effort. It was also noted that there is a gillnet closure in Massachusetts state waters from January 1 – May 15 to protect Right whales, first implemented in 2015, and the group sought clarification on whether this closure has been included in the DST model runs. If it is not included, it should be considered as the large risk reduction measure it entails for Right whales that started declining in 2010. Massachusetts continues to lead in large risk reduction measures through closures due to the density of whales in their waters during several months throughout the year. It is important to note their contributions through this risk reduction analysis period as well as their DST analysis measures outlined in Table 3 and submitted separately through their agency.

Table 2: Northeast gillnet measures for DST analysis:

GOM (ME, NH, and MA state and federal waters) gillnet risk reduction analysis requests:

Fishery	Constraint	Region	Season
Gillnet – all fisheries	Closure, 100% lines out	West of 70° W longitude, north of 42° 30'' in the GOM	April 1 – May 31
	Panel up – minimum 20 and 22 nets per two buoy lines (2 model runs)	West of 70° W longitude, south of 42° 30'' in the GOM	
Gillnet – all fisheries	Closure, 100% lines out	West of 70° W longitude, north of 42° 30'' in the GOM	April 1 - 30
	Panel up – minimum 20 and 22 nets per two buoy lines (2 model runs)	West of 70° W longitude, south of 42° 30'' in the GOM	
Gillnet – all fisheries	Closure, 100% lines out	West of 70° W longitude, north of 42° 30'' in the GOM	May 1- 31
	Panel up – minimum 20 and 22 nets per two buoy lines (2 model runs)	West of 70° W longitude, south of 42° 30'' in the GOM	
:	Endline cap limit – 10 lines per permit	GOM	April 1 – May 31

Table 3: Southern New England (SNE - MA and RI state and federal waters) gillnet risk reduction analysis requests:

Fishery	Constraint	Region	Season
Gillnet – monkfish/skate	10 endline cap per fisher	SNE	Year round
Gillnet – all fisheries	Incorporate changes in set length since 2017	SNE	
Gillnet – all fisheries	Evaluate changes in latent permits since 2017	SNE	
Gillnet – all fisheries	Panel up to minimum of 20 panels per two buoy lines	SNE	Year round

Gillnet – all fisheries	Panel up to minimum of 25 nets per two buoy lines	SNE	Year round
Gillnet – all fisheries	Closure, lines out	Same boundaries as SIRA (plus small wedge of fed waters north of 41° 20’)	Feb 1 – April 30
Gillnet – all fisheries	Closure, lines out	“north of 43600” = O Northern boundary – 41° 20’ plus small wedge of federal waters north of 41° 20’ to state waters line O Southern boundary – 41° 40’ O Western boundary – 71° 30’ O Eastern boundary - 70°	Feb 1 – April 30
Gillnet – all fisheries	Closure, lines out +75% weak rope + 20 or 25 panel minimum per two buoy lines	Same boundaries as SIRA (plus small wedge of fed waters north of 41° 20’)	Feb 1 – April 30

Thank you for the opportunity to provide valuable industry and stakeholder input through the process to modify the Atlantic Large whale Risk Reduction Plan.

Respectfully,



Cheri Patterson
Chief, Marine Division

Cc: Colleen Coogan, Mike Pentony, NOAA Fisheries
Tom Nies, Eric Reid, NEFMC
Scott Mason, Renee Zobel, NHF&G



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

October 18, 2022

A.I.S., Inc.
540 Hawthorn St
Dartmouth, MA 02747

Dear Approved Electronic Monitoring Service Provider,

On August 16, 2022, NOAA's National Marine Fisheries Service (NMFS) completed the fishing year 2021 year-end reconciliation process for Northeast multispecies (groundfish) sectors. Electronic monitoring (EM) service providers must retain all EM data and reports for a period of 12 months after the date on which catch data for the fishing year are finalized. EM data are any data created in the collection of fishery-dependent data by EM systems during fishing operations, including the video, images, and other sensor data, as well as the metadata that provides information about the raw data (e.g., trip sail date, vessel information). EM service providers may not dispose of fishing year 2021 EM data and reports (data and reports submitted from May 1, 2021, through April 30, 2022) until on or after August 17, 2023.

NMFS codified the requirement for the groundfish sector program at 50 CFR 648.87(b)(4)(ii)(B):

"The service provider must ensure that at-sea monitors or video reviewers remain available to NMFS, including NMFS Office for Law Enforcement, for debriefing for at least 2 weeks following any monitored trip/offload or electronic monitoring trip report submission. Electronic monitoring service providers must ensure that electronic monitoring data and reports are retained for a minimum of 12 months after catch data is finalized for the fishing year. NMFS will notify providers of the catch data finalization date each year. The service provider must provide NMFS access to electronic monitoring data upon request[.]"

Failure to timely produce EM data and reports upon NMFS's request during the retention period may result in enforcement or administrative actions as described at § 648.14(k)(14)(xiii) and § 648.87(b)(4)(ii)(B).

This requirement is for EM data and reports held by an approved EM service provider contracted on behalf of vessels participating in an EM program to meet groundfish sector monitoring requirements. It does not apply to EM data received and held by NMFS in the conduct of its official business, or EM reports already submitted to and in the possession of NMFS as required by the Northeast Multispecies Fishery Management Plan. EM data held by NMFS are retained as Federal Records for a period of 5

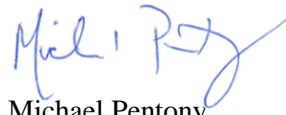


years as stipulated by the National Archives and Records Administration¹, and EM reports are held indefinitely by the Northeast Fisheries Science Center's Fisheries Monitoring and Operations Branch. We strongly encourage EM service providers to consult with their contracted sectors and/or vessels prior to making decisions about the final disposition of a vessel's EM data and reports as participating vessels may choose to retain EM data and/or reports for longer than the minimum required retention period.

The requirement we have summarized in this letter and that is included in the regulations is consistent with our policy directive, "Third-Party Minimum Data Retention Period in Electronic Monitoring Programs for Federally Managed U.S. Fisheries"².

Please contact Claire Fitz-Gerald at claire.fitz-gerald@noaa.gov or (978) 281-9255 with questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Pentony".

Michael Pentony
Regional Administrator

cc: Eric Reid, Chairman, New England Fisheries Management Council
Dr. Jon Hare, Director, Northeast Fisheries Science Center

¹ NARA Records Disposition Schedule DAA0370-2020-0001; May 2021.

² Third-Party Minimum Data Retention Period in Electronic Monitoring Programs for Federally Managed U.S. Fisheries; April 2020. Available at: <https://media.fisheries.noaa.gov/dam-migration/04-115-03.pdf>



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NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

October 18, 2022

Archipelago Marine Research, Ltd.
525 Head St
Victoria, BC V9A 5S1
Canada

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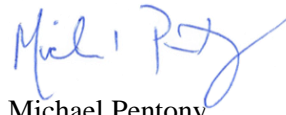


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National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

October 18, 2022

East West Technical Services, LLC
91 Point Judith Rd
Suite 26, Unit 347
Narragansett, RI 02882

Dear Approved Electronic Monitoring Service Provider,

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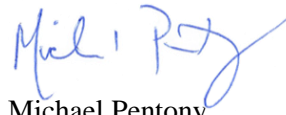


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Michael Pentony
Regional Administrator

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NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

October 18, 2022

Fathom Resources, LLC
855 Aquidneck Ave, Unit 9
Middletown, RI 02842

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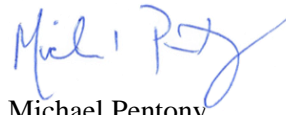


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October 18, 2022

Flywire Cameras
PO Box 55048
Lexington, KY 40511

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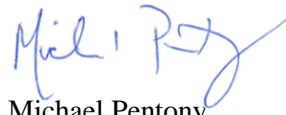


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October 18, 2022

New England Marine Monitoring
350 Commercial St
Portland, ME 04101

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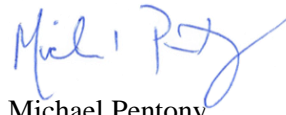


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55 Great Republic Drive
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October 18, 2022

Saltwater, Inc.
733 N St
Anchorage, AK 99501

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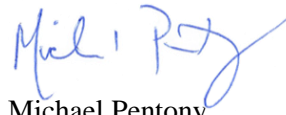


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October 18, 2022

Satlink US, LLC
16423 Sawgrass Drive
Rehoboth Beach, DE 19971

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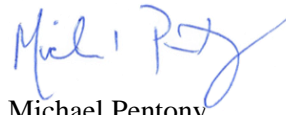


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October 18, 2022

Teem Fish
90-425 Carrall St
Vancouver, BC V6B 6E3
Canada

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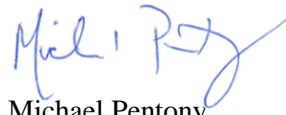


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39 Industrial Park Road, Unit C
Plymouth, MA 02360
www.stellwagenbank.org

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Capt. Brian Curry

Capt. Robert Savino

Capt. John Richardson

October 28, 2022

Ms. Janet Coit
Assistant Administrator
NOAA Fisheries
1315 East West Highway
Silver Spring, Maryland 20910

RE: Comments to Proposed North Atlantic Right Whale Vessel Strike Reduction Rule

Dear Assistant Administrator Coit:

On behalf of the Stellwagen Bank Charter Boat Association (SBCBA) whose membership includes the for hire fleet, recreational anglers and commercial fisherman that fish the state and federal waters of the northeast United States the following is in response to the proposed changes to the North Atlantic Right Whale Vessel Strike Reduction Rule. The SBCBA understands the importance of protecting endangered North Atlantic Right Whales to reduce vessel strikes. The substantial impact of the proposed vessel speed rule raises concerns about navigational safety and safety at sea, and lack of stakeholder engagement. As a result, we recommend that the National Marine Fisheries Service (NMFS) pause this rule until additional analysis on the issues expressed in this letter can be conducted, and potential new alternatives developed in collaboration with the fishing and boating industry.

With increased water temperatures and climatic shift of our stocks our fishing season extends more than ever within the months during the proposed speed restriction. This period corresponds with the seasons of some of our most popular recreational and commercial fisheries such as bluefin tuna, haddock, striped bass, black sea bass, tautog and summer flounder. It should also be noted that due to the distance to the Canyons a 10 knot speed limit and time to transit such a distance will result in boats not leaving the dock. Ultimately there is significant fishing effort that does not appear to have been considered with this proposed action that will have a significant economic impact on the recreational and commercial fishery and the entire blue economy that relies on such to make a living.



39 Industrial Park Road, Unit C
Plymouth, MA 02360
www.stellwagenbank.org

The recreational boating industry generates approximately \$170 billion in annual economic impact per year with over 50 million American anglers fishing each year. The proposed rule represents a massive expansion in terms of time, spatial area and impacted vessels. The NMFS appears to agree with this assessment and states that the proposed rule “to be a major federal action subject to NEPA” and affecting “thousands of mariners along the U.S. East Coast.” NEPA defines an environmental assessment as detailed review of the proposed action on the purpose and expected outcomes. An Environmental Impact Statement includes a much more comprehensive review of all reasonable alternatives and a deeper analysis on the cumulative impacts from the proposed action and offers greater opportunities for public involvement. As a result SBCBA believes that it is appropriate to conduct an Environmental Impact Statement for this proposed rule. Clearly, it is in the interest of our industry to evaluate all possible alternatives in an open, transparent process.

A speed restriction of 10 knots in such a large area will all but eliminate the opportunity for thousands of anglers and/or vessels to undertake trips where weather windows can be very narrow. Such will also impact select vessels in the maritime industry that bus customers or ship materials in state and federal waters. Many boaters and anglers will forego boating and fishing trips altogether due to the time, cost and safety burdens imposed by the rule. This in turn will negatively impact marinas, tackle shops, charter and party boat operations and all businesses that represent America’s small business economy. More deliberation and analysis is needed to determine if conservation goals could be achieved with less restrictive measures. A pause in rulemaking would provide opportunity to further evaluate the importance of those trade-offs detailed below.

As part of this proposed rule, Southwick and Associates analyzed the probability of a recreational fishing trip in the 35-65 ft. size class striking a Right Whale to better characterize realized risk (Appendix A). This analysis demonstrates that the chances of a recreational boat striking a Right Whale is exceedingly rare, it also shows that in general, the recreational fishing and boating sector does not pose a significant threat on an individual Right Whale level. Despite considerable boat activity, recreational boats are not interacting with Right Whales at a rate consistent with the NMFS risk model.



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NMFS attempting to predict risk on a one and a million chance of a vessel strike. Almost all the strike mortality events in the 35-65 vessel size class occurred within current seasonal speed zones (“SSZs”, as referenced in section 1) and higher mortality occurrences within current SSZs is expected because existing SSZs are bottleneck points for vessel traffic being centered around major Atlantic ports (see current SSZ Figure). This observation lends management to focus more on vessel traffic density on a spatial scale, not on the absolute number of trips.

NMFS’s technical memo states that, “the high densities predicted along the mid-Atlantic may not be realistic.” These inflated density values feed the risk assessment model and produce outcomes that are inconsistent with actual risk and the occurrence of known strikes. The model also served as a primary tool in the development of the proposed rule, thus, the density bias is reflected in those expansive measures. NMFS acknowledges that model development and evaluation is ongoing to address this source of bias. This needs to be addressed prior to moving forward with the proposed rule.

Further exploration of available datasets indicates the NEPA Environmental Analysis (EA) underestimates the number of anglers, boaters, and economic impact associated with the proposed rule. SBCBA recommends that NMFS address shortcomings of the EA through more thorough investigation of the number of vessels impacted, speeds needed for offshore trips to be viable, and the true costs and economic impacts of the lost fishing opportunities associated with Alternative 5, as they clearly exceed the \$1.2 million claimed.

The proposed rule appears to argue that extending speed restrictions to smaller vessels will help address safety concerns as vessel strikes pose a threat to human life. The SBCBA values minimizing safety concerns from strike occurrences, but given the rarity of vessel strikes in the 35-65 ft. size class, we expect more safety concerns and threats to human life will occur from the proposed vessel speed restrictions, due to forcing boaters to spend more time on the water in potentially unsafe conditions, than the highly improbable chances of striking a Right Whale.

The SBCBA recommends that the NMFS conduct a thorough evaluation of impacts to the human environment, however, the Draft Regulatory Impact Review (RIR) provides conflicting economic analyses for benefits



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Plymouth, MA 02360
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versus impacts. The RIR includes no indirect impact analysis, but indirect benefits from whale watch operators. The SBCBA questions that NMFS was unable to compile any indirect economic impact information for recreational vessels especially when NMFS regularly publishes a Fisheries Economics of the United States report. These points highlight the need to revisit to make it more consistent with the intent of the law.

NMFS provides a safety deviation provision as part of the proposed rule. The deviation provision is only applicable to vessels less than 65 ft., allowing those vessels to transit at speeds greater than 10 knots within areas where a National Weather Service Gale Warning, or other National Weather Service Warning for wind speeds exceeding those that trigger a Gale Warning is in effect. The [National Weather Service](#) defines Gale force wind speeds at 39 to 46 mph. SBCBA questions how NMFS arrived at a Gale force threshold. Typically vessels 35 to 65 ft. cannot operate safely at 10 knots during wind speeds exceeding approximately 25mph. Therefore, the SBCBA suggests NMFS lower the wind speed deviation threshold to 25-31mph to ensure safe vessel operation at sea.

Many boats lack high displacement hull design that often provides ocean going and commercial vessel stability and the ability to operate safely in significant sea states. Vessels utilize speed to conduct fishing and other trips during weather windows of opportunity. Vessels forced to not exceed a 10 knot speed limit during high winds and nasty weather, results in conditions that would compromise safety of the passengers and vessel. Speed is also a safety asset in the event of localized weather events such as thunderstorms where a vessel could return to port or avoid a line of thunderstorms with the ability to operate above 10 knots. The proposed rule would unfairly deprive a primary safety feature of boats 35 ft. and larger.

Operating at speeds that do not exceed 10 knots, for most recreational boats, forces the vessel to operate at a less than optimal speed and angle of attack. Operating at these speeds raises the bow which reduces the visibility of the operator to see and avoid hazards in the water, including Right Whales. Most recreational boats have hull designs that allow the boat to ride level when on plane. Operator visibility is optimized when a boat is on plane. The proposed rule may actually have the unfortunate consequence of reducing operator visibility and elevating the risk of collisions.



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Pausing the rule would provide opportunity to address the technology that can deliver real-time monitoring to protect Right Whales. From direct observations, aerial surveillance, acoustic detection, heat signature technology, satellite monitoring and ambient DNA signatures found water samples, it is feasible to gather real-time location information on a significant portion of the Right Whale population. Outreach is recommended with the fishing and boating community detailing ways they can provide direct observations of Right Whales to NOAA.

The SBCBA welcomes developing ways to provide real-time positioning on navigational hazards, including Right Whales, to vessel operators. The SBCBA also supports this approach because it applies empirically based targeted precaution instead of excessively severe measures. Developing ways to distribute this information to vessel operators will only occur through direct engagement with the industry, fishing, and boating organizations.

The SBCBA is sensitive to the status and outlook of the North Atlantic Right Whale population and do not want to contribute to mortality of Right Whales due to vessel strikes. The magnitude of the proposed rule warrants careful consideration to ensure that a practical, enforceable and realistic plan is put in place to address the declining Right Whale population. Consistent with above, we recommend that the NMFS pause this rule until additional analysis on the issues expressed in this letter can be conducted via an Environmental Impact Statement with resulting alternatives developed in collaboration with the fishing and boating industry to protect the Right Whale population.

If you have any questions or comments, please contact us at the email below.

Very truly yours,

Capt Timothy Brady

Capt. Timothy Brady
SBCBA, Vice President
tcbship874@gmail.com

Capt Rick Golden

Capt. Rick Golden
SBCBA, Secretary



39 Industrial Park Road, Unit C
Plymouth, MA 02360
www.stellwagenbank.org

Capt Damon Saco

Capt. Damon Saco
SBCBA, Board of Directors
captdamon@gmail.com

Capt. Mike Delzingo

Capt. Mike Delzingo
SBCBA, Board of Directors
ff_boston@yahoo.com

Capt John Bunar

Capt. John Bunar
SBCBA, Board of Directors
jbironskippy@gmail.com

Capt. Paul Diggins

Capt. Paul Diggins
SBCBA, Trustee
captain_paul@bostonfishing.com

Capt Rob Savino

Capt. Rob Savino
SBCBA, Trustee
robsavino@mac.com

Cc: Michael Pentony, GARFO
Tom Nies, NEFMC
Russell Dunn, NMFS
Dan McKiernan, MassDMF
Ron Amidon, MassF&G
Barry Gibson, RFA

From: Leo Chomen <leochomen@gmail.com>

Sent: Tuesday, November 8, 2022 6:55 AM

To: comments <comments@nefmc.org>

Subject: Groundfish committee comments

The new regulations of 5 fish per person are quite spot on. The only group of people that caught 10 fish per person were the boats that fished the mass spawn off of Block in February and March and always limited out with 10 fish per person. This begs the question of why the odd closure months? There is limited folks that fish for cod in the months closed and only a handful fish when they are congregated to spawn. The other point here is the size restrictions. I think it should be allowed to take one fish over 28 inches as in my waters from Montauk to Coxes they are rare anyway and it would be nice to have one bigger one. My boat holds the state record for cod since 2004 so you are only protecting my record 😊. If you note the fish that spawn in our area from the catches off of Block in February and March you will note that the pool fish are 8-10 lbs. There are none over the 28 inches so really just knocking off spawners which are different sizes than they are off the Massachusetts coast where they are huge spawners. I really believe these are 2 different batches of fish and should be treated differently. In February and March the fish are stacked 20 ft deep off of Block all in one area which is literally fishing in a barrel. In May barely anyone is fishing for cod though there are a few of us and the fish are much more spread out. I hope someone looks at this as I have brought this up in the past with no reply. On sea bass I think the 16 inches are good but I think we are too protective. Back before they were abundant here the limit was 20 (not that we should go back to that) but right now they have invaded the cod grounds, started taking over the blackfish grounds and decimating the already dwindled lobster fishery. In my blackfishing this year we were catching baby sea bass (eating whole crabs bigger than them) to all different size sea bass including keepers so I know they are now taking up residences where blackfish are.

I hope the folks there pay attention to what really goes on out there and hopefully not from just scientific data. I have been fishing here since 1993 and have seen the ups and downs. My boat holds both state record Pollock as well as state record cod and I watch all reports from the fishing fleets which I hope you folks do as well=

Please take my comments constructively as they are meant. I know if we shut down the February and March cod fishery you would see remarkable results quickly. The season after covid shut down was one of my best cod years-That has disappeared since then and we are swarmed with sea bass, not so much with cod-I think we need a healthy balance

Emails checked daily at 6 am-If you need me same day call 860-739-1998 ext 1816 for sales and 860-376-1320 for rentals .My schedule link may help you with scheduling and it is below:

https://www.google.com/calendar/embed?src=leochomen%40gmail.com&ctz=America/New_York



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 10, 2022

Dr. Jonathon Hare
Science and Research Director
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543

Dear Jon:

I want to express my deep concern over the slow progress being made by the Atlantic Cod Research Track Working Group (WG). WG members are being hampered by their inability to obtain the Catch-At-Age data needed to begin modeling each of the stocks under the new cod stock structure. These delays are unacceptable and threaten our adaptation of management to the new biological understanding of the cod stocks and may also affect assessment schedules for cod and other species.

The WG expected that the necessary data would be received in August 2022. After that did not happen, they expected it would be available in mid-November, news that led the NRCC to acknowledge that the March 2023 review date was unrealistic. Today the WG heard that it will take through December into January for all of the data to be delivered. We do not know if that will further delay the review.

I do not understand why these assessments of the iconic Atlantic cod are encountering such difficulty in obtaining data. This issue will be added to the agenda for our upcoming Executive Committee meeting on November 21, and I ask that a clear explanation be provided.

Sincerely,

Thomas A. Nies
Executive Director

cc: Mr. Michael Pentony, GARFO
Dr. Christopher Moore, MAFMC
Mr. Robert Beal, ASMFC



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

November 10, 2022

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

Dear Eric:

I am writing to express my concern regarding Framework Adjustment 65 to the Northeast Multispecies Fishery Management Plan (FMP), specifically the Scientific and Statistical Committee's (SSC) recommended Georges Bank (GB) cod overfishing limit (OFL) and acceptable biological catch (ABC). The SSC's recommendation to the Council provides only minimal justification relative to rebuilding and preventing overfishing. I urge the Council to address this deficiency as it continues its development of Framework 65.

In Framework 63, the Council opted to set the GB cod ABC for only one year (fishing year 2022), so the Council again needs to set a GB cod ABC for 2023 and 2024 with a new recommendation from the SSC. The SSC met on August 25, 2022, and the majority recommended an ABC of 904 mt. This ABC would be 150 mt above the current ABC of 754 mt, which was the catch advice from the "PlanBsmooth" approach used in the 2021 management track assessment. Consistent use of the PlanBsmooth approach for catch advice has been found suitable for data poor stocks and likely to prevent overfishing. A new PlanBsmooth was not run in 2022, and so the catch advice for ABC for fishing year 2023, consistent with the goal to promote rebuilding and prevent overfishing, remains at 754 mt.

The source of the SSC's recommendation of 904 mt for fishing years 2023 and 2024 is unclear. It is not based on the PlanBsmooth approach, but it is the same amount that a minority of the SSC previously suggested in 2021 for fishing year 2023 as part of a "phase-in" approach that would have reduced the ABC to 754 mt in 2024. However, in 2021, the SSC did not adopt the "phased-in" approach for moving to lower catch limits beginning in fishing year 2022, and instead recommended 754 mt for all three fishing years 2022-2024. In 2022, the SSC's recommendation of 904 mt does not reference a phased-in approach, but no other explanation was provided for the source of the 904-mt recommendation. Additionally, the recommendation appears to be 904 mt for 2024 as well, which seems inconsistent with the original "phase-in" approach. Further, the phased-in approach may not be consistent with National Standard guidelines, as I have explained below.

The 2022 SSC report (pp 7-10) from the August meeting acknowledges the lack of rebuilding over several years despite reduced catch levels and uncertainty associated with GB cod recruitment. The report then states that "[t]he advice offered by the SSC is aimed at promoting



rebuilding and is unlikely to lead to overfishing of GB cod,” but does not provide a robust basis for this statement, or rationale for how a higher ABC will promote rebuilding following the SSC’s conclusion there has been a lack of rebuilding under reduced catch levels. The report references minor signals of improvement in survey indices, which were within the error bounds of the survey, and the adverse economic impacts of the lower ABC, including references to factors such as higher fuel prices that may be highly variable. However, the SSC highlighted that the increase in survey indices would need to be monitored to determine if it truly represents a positive trend. There was no further explanation by the SSC regarding the basis for the ABC of 904 mt and increasing the catch amount from the 2022 fishing year, nor the departure from the 2021 assessment results.

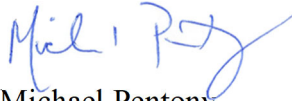
A minority of the SSC objected to the increase in ABC. The minority recommends keeping the ABC at its current level for the upcoming fishing years because the current ABC is based on the most recent assessment, the stock has not rebuilt under its rebuilding plan, and the stock is at historically low abundance levels with no signs of increased recruitment. The minority report reflected on the statements that commercial fishermen were avoiding targeting the stock due to low quotas, and pointed out that increasing the ABC would lead to increased fishing pressure and promotion of more targeted fishing. We urge the Council to address the minority reports concerns about stock status and the potential for increased catch under the higher ABC recommended by the majority of the SSC.

The SSC’s recommendation attempts to mitigate adverse economic impacts that are expected from maintaining the lower amount that resulted from using the PlanBsmooth approach. This recommendation is a deviation from the amount derived from the assessment catch advice that is likely to prevent overfishing. While the recommendation is not seeking to “phase-in” lower amounts, the National Standard Guidelines for ABC Control Rules that provide for phasing-in lower ABCs to mitigate reductions in catch advice is instructive in this instance where the SSC is increasing the ABC to attempt to address socio-economic concerns. The National Standard Guidelines state that the Council must articulate how phase-in provisions, that are meant to mitigate otherwise lower amounts, still prevent overfishing. The National Standard 1 Guidelines state that this must be based on a comprehensive analysis. In addition, the Council should evaluate the appropriateness of such provisions for stocks that are overfished and/or rebuilding, as the overriding goal is to rebuild them in as short a time as possible.

The SSC is recommending an ABC that will likely trade off long-term sustainability for short-term mitigation of adverse economic impacts by allowing higher cod harvest to facilitate a more consistent harvest of other stocks. Addressing short-term economic harm is acceptable, and these impacts should be minimized when practicable, but only if the Council can demonstrate that the decision is based on the best scientific information available. This should include further analysis supporting the 904 mt and evaluating its appropriateness for rebuilding an overfished stock. The analysis should show how increasing the catch amount in fishing year 2023 will achieve the goals of the Framework to meet regulatory requirements to prevent overfishing, ensure rebuilding, help achieve optimum yield in the commercial and recreational groundfish fishery, and meet the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.

My staff will continue to work closely with the Council as it continues development of Framework 65. If you have questions about the issues we raised in this letter, please contact Peter Christopher, Groundfish Team Supervisor, at (978) 281-9288.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Pentony", with a stylized flourish at the end.

Michael Pentony
Regional Administrator

cc: Thomas A. Nies, Executive Director, New England Fishery Management Council
Dr. Jon Hare, Science and Research Director, Northeast Fisheries Science Center



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 14, 2022

Dr. Christopher Moore
Executive Director
Mid-Atlantic Fishery Management Council
Suite 201, 800 N. State Street
Dover, DE 19901

Dear Chris:

As a follow-up to my letter dated April 21, 2022, NOAA Fisheries approved the Council's proposal in Framework Adjustment 63 (FW63) to the Northeast Multispecies (Groundfish) fishery management plan for Georges Bank (GB) cod. FW63 adopts additional recreational fishery measures to promote cod stock rebuilding and reduce recreational mortality by 68% from recent levels. The Council set a recreational GB cod catch target of 75 mt for fishing year 2022 and the measures were designed to stay within that target. The action was effective July 15, 2022.

The recreational measures include:

- Slot Limit- The minimum size for GB cod is 22 inches (55.88 cm.) and the maximum size is 28 inches (71.12 cm) total length for the recreational fishery (private, party, and charter).
- Possession Limit- Party, charter, and private vessels in the recreational fishery are permitted to land 5 legal sized GB cod per angler, per day.
- Season- Party, charter, and private vessels in the recreational fishery are prohibited from retaining GB cod from May 1 to July 31. No possession is in place during this time.

A preliminary estimate from the Northeast Fisheries Science Center, received this week by the Council, indicates recreational catches of GB cod are 83 mt for May through August (Waves 3 and 4), thus already exceeding the Council's catch target. Furthermore, this represents a 30% increase from the same time frame in 2021. Should this trend continue, the recreational fishery for GB cod is well on track to far exceed the Council's catch target of 75 mt.

The Council remains concerned that state regulations that are less restrictive than those in the federal plan can create enforcement challenges and reduce the effectiveness of the federal measures. I urge you to share this information with your membership for consideration. Please contact me if you have questions.

Sincerely,

Thomas A. Nies
Executive Director



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 14, 2022

Kristopher M. Kuhn Director Bureau of Fisheries
Pennsylvania Fish & Boat Commission
595 E. Rolling Ridge Drive
Bellefonte, PA 16823-9616

Dear Mr. Kuhn:

As a follow-up to my letter dated April 21, 2022, NOAA Fisheries approved the Council's proposal in Framework Adjustment 63 (FW63) to the Northeast Multispecies (Groundfish) fishery management plan for Georges Bank (GB) cod. FW63 adopts additional recreational fishery measures to promote cod stock rebuilding and reduce recreational mortality by 68% from recent levels. The Council set a recreational GB cod catch target of 75 mt for fishing year 2022 and the measures were designed to stay within that target. The action was effective July 15, 2022.

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Sincerely,

Thomas A. Nies
Executive Director



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 14, 2022

Mr. David Saveikis, Director
Delaware Fish and Wildlife
89 Kings Highway
Dover, DE 19901

Dear Mr. Saveikis:

As a follow-up to my letter dated April 21, 2022, NOAA Fisheries approved the Council's proposal in Framework Adjustment 63 (FW63) to the Northeast Multispecies (Groundfish) fishery management plan for Georges Bank (GB) cod. FW63 adopts additional recreational fishery measures to promote cod stock rebuilding and reduce recreational mortality by 68% from recent levels. The Council set a recreational GB cod catch target of 75 mt for fishing year 2022 and the measures were designed to stay within that target. The action was effective July 15, 2022.

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Sincerely,

Thomas A. Nies
Executive Director



New England Fishery Management Council

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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 14, 2022

Mr. Joseph Cimino
Division of Fish & Wildlife
NJ Marine Fisheries Administration
PO Box 418
Port Republic, NJ 08241

Dear Mr. Cimino:

As a follow-up to my letter dated April 21, 2022, NOAA Fisheries approved the Council's proposal in Framework Adjustment 63 (FW63) to the Northeast Multispecies (Groundfish) fishery management plan for Georges Bank (GB) cod. FW63 adopts additional recreational fishery measures to promote cod stock rebuilding and reduce recreational mortality by 68% from recent levels. The Council set a recreational GB cod catch target of 75 mt for fishing year 2022 and the measures were designed to stay within that target. The action was effective July 15, 2022.

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Sincerely,

Thomas A. Nies
Executive Director



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 14, 2022

Mr. James Gilmore, Director
NYSDEC Division of Marine Resources
205 N. Belle Mead Road, Suite 1
E. Setauket, NY 11733-3400

Dear Mr. Gilmore:

As a follow-up to my letter dated April 21, 2022, NOAA Fisheries approved the Council's proposal in Framework Adjustment 63 (FW63) to the Northeast Multispecies (Groundfish) fishery management plan for Georges Bank (GB) cod. FW63 adopts additional recreational fishery measures to promote cod stock rebuilding and reduce recreational mortality by 68% from recent levels. The Council set a recreational GB cod catch target of 75 mt for fishing year 2022 and the measures were designed to stay within that target. The action was effective July 15, 2022.

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Sincerely,

Thomas A. Nies
Executive Director



New England Fishery Management Council

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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 14, 2022

Mr. Patrick Geer Virginia Marine Resources Commission Chief
Fisheries Management Division, Building 96
380 Fenwick Road
Ft. Monroe, VA 23651

Dear Mr. Geer:

As a follow-up to my letter dated April 21, 2022, NOAA Fisheries approved the Council's proposal in Framework Adjustment 63 (FW63) to the Northeast Multispecies (Groundfish) fishery management plan for Georges Bank (GB) cod. FW63 adopts additional recreational fishery measures to promote cod stock rebuilding and reduce recreational mortality by 68% from recent levels. The Council set a recreational GB cod catch target of 75 mt for fishing year 2022 and the measures were designed to stay within that target. The action was effective July 15, 2022.

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Sincerely,

Thomas A. Nies
Executive Director



New England Fishery Management Council

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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 14, 2022

Ms. Kathy B. Rawls, Director
NC Division of Marine Fisheries
3441 Arendell Street
Morehead City, NC 28557

Dear Ms. Rawls:

As a follow-up to my letter dated April 21, 2022, NOAA Fisheries approved the Council's proposal in Framework Adjustment 63 (FW63) to the Northeast Multispecies (Groundfish) fishery management plan for Georges Bank (GB) cod. FW63 adopts additional recreational fishery measures to promote cod stock rebuilding and reduce recreational mortality by 68% from recent levels. The Council set a recreational GB cod catch target of 75 mt for fishing year 2022 and the measures were designed to stay within that target. The action was effective July 15, 2022.

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Sincerely,

Thomas A. Nies
Executive Director



New England Fishery Management Council

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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

November 14, 2022

Mr. Michael Luisi
Division Director, Monitoring & Assessment
Maryland DNR, Fisheries and Boating Services
Tawes State Office Building
580 Taylor Avenue, B-2
Annapolis, MD 21401

Dear Mike:

As a follow-up to my letter dated April 21, 2022, NOAA Fisheries approved the Council's proposal in Framework Adjustment 63 (FW63) to the Northeast Multispecies (Groundfish) fishery management plan for Georges Bank (GB) cod. FW63 adopts additional recreational fishery measures to promote cod stock rebuilding and reduce recreational mortality by 68% from recent levels. The Council set a recreational GB cod catch target of 75 mt for fishing year 2022 and the measures were designed to stay within that target. The action was effective July 15, 2022.

The recreational measures include:

- Slot Limit- The minimum size for GB cod is 22 inches (55.88 cm.) and the maximum size is 28 inches (71.12 cm) total length for the recreational fishery (private, party, and charter).
- Possession Limit- Party, charter, and private vessels in the recreational fishery are permitted to land 5 legal sized GB cod per angler, per day.
- Season- Party, charter, and private vessels in the recreational fishery are prohibited from retaining GB cod from May 1 to July 31. No possession is in place during this time.

A preliminary estimate from the Northeast Fisheries Science Center, received this week by the Council, indicates recreational catches of GB cod are 83 mt for May through August (Waves 3 and 4), thus already exceeding the Council's catch target. Furthermore, this represents a 30% increase from the same time frame in 2021. Should this trend continue, the recreational fishery for GB cod is well on track to far exceed the Council's catch target of 75 mt.

The Council remains concerned that state regulations that are less restrictive than those in the federal plan can create enforcement challenges and reduce the effectiveness of the federal measures. I urge you to share this information with your membership for consideration. Please contact me if you have questions.

Sincerely,

Thomas A. Nies
Executive Director



**100 Davisville Pier
North Kingstown, R.I. 02852 U.S.A.
Tel: (401)295-2585**

November 15, 2022

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

Re: EBFM Committee/Public Information Workshop/ Georges Bank Ecosystem FMP

Dear Tom,

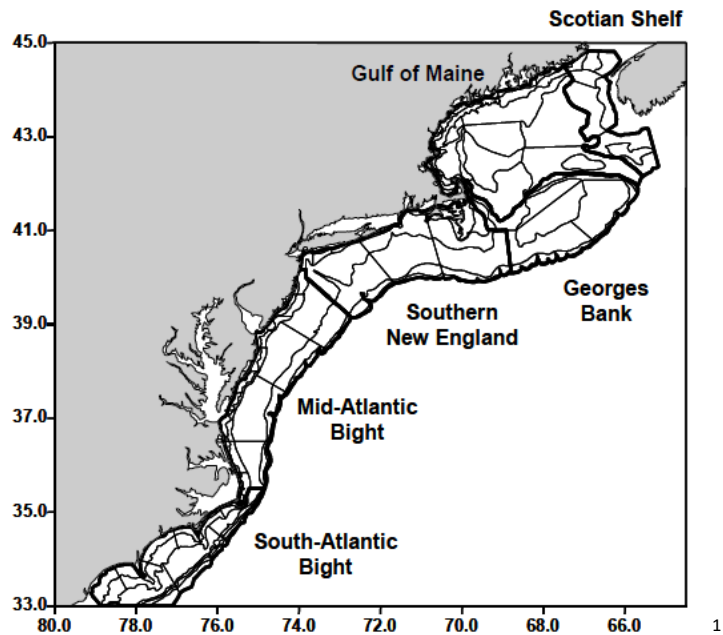
I am writing to express my concerns regarding the NEFMC initiative for a Georges Bank Ecosystem FMP that is currently being developed by the EBFM Committee MSE workshop process.

My first concern is related to the geographic range of what is being considered "Georges Bank". The "Georges Bank Ecological Production Unit" under consideration is far in excess of what is truly George's Bank and encompasses the entirety of Nantucket Shoals, south of Nantucket, all the way past Muskeget Channel to the eastern end of Martha's Vineyard, essentially a large portion of Southern New England and encompassing various important Southern New England Fisheries. The Great South Channel, which separates Nantucket Shoals from Georges Bank, is a natural delineation point which separates not only two very different geographic areas but also two very different ecosystems. According to the EBFM Public Information Workshop material and discussions, these two areas have "similar" ecosystem characteristics. However, it was also noted that the model being employed in the exercise has the parameters set by number of Ecosystem Production Units (EPU) desired in the outcome- the more EPUs selected as an output, the more defined each EPU will become.

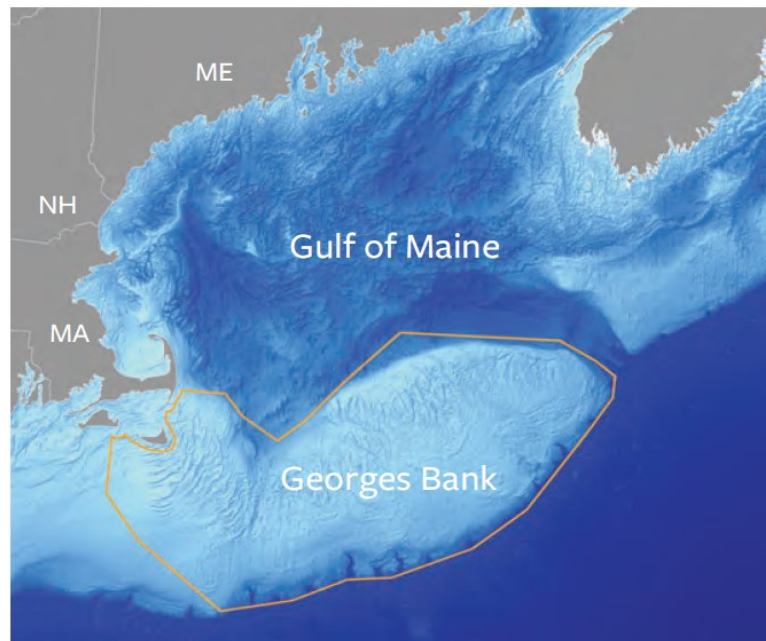
Therefore, we request that an additional EPU output be added, so as to separate out what is truly Georges Bank from Southern New England. Georges Bank is an entirely different area than Southern New England, in both fishing practice, governing regulations, and ecosystem production. No captain has ever said he was headed to Georges and went fishing on the backside of Nantucket. There is also a reason that the regulated mesh areas do not allow for small mesh bottom trawls to operate east of Nantucket and on Georges Bank, other than in the small mesh exemption area- the ecosystem is different, with different species' mix, which the regulated mesh area is designed to acknowledge and protect. See <https://www.fisheries.noaa.gov/new-england-mid-atlantic/commercial-fishing/southern-new-england-exemption-area>. Due to the minimal interaction with groundfish in the small mesh exemption area, small mesh is legal and allows for small mesh fishing for, example, the summer loligo squid fishery off of Nantucket. This is not Georges Bank.

Additionally, previous ecosystem research has held Southern New England as a separate Ecosystem Production Unit than Georges Bank. See for example, the chart below from Link et. al.:

Figure 2.1. Map of the northwest Atlantic, including the major subregions.



This stands in contrast to the EBFM Georges Bank EPU materials below:



The Georges Bank EPU is indicated by the orange outline on the map. ²

From an ecosystem perspective, the Great South Channel, below, is the natural barrier that separates Georges Bank from Southern New England and the Mid Atlantic Cold Pool. This creates a

¹ Link et al., "Status of the Northeast U.S. Continental Shelf Ecosystem: A Report of the Northeast Fisheries Science Center's Ecosystem Status Working Group", NEFSC Reference Document 02-11, August 2002.

² See https://s3.us-east-1.amazonaws.com/nefmc.org/Georges-Bank-Ecosystem-Production-Unit_01.19.21.pdf.

distinct ecosystem delineation that has remained consistent over time. The below chart is from the Northeast Fishery Science Center's 2021 State of the Ecosystem Mid Atlantic report:

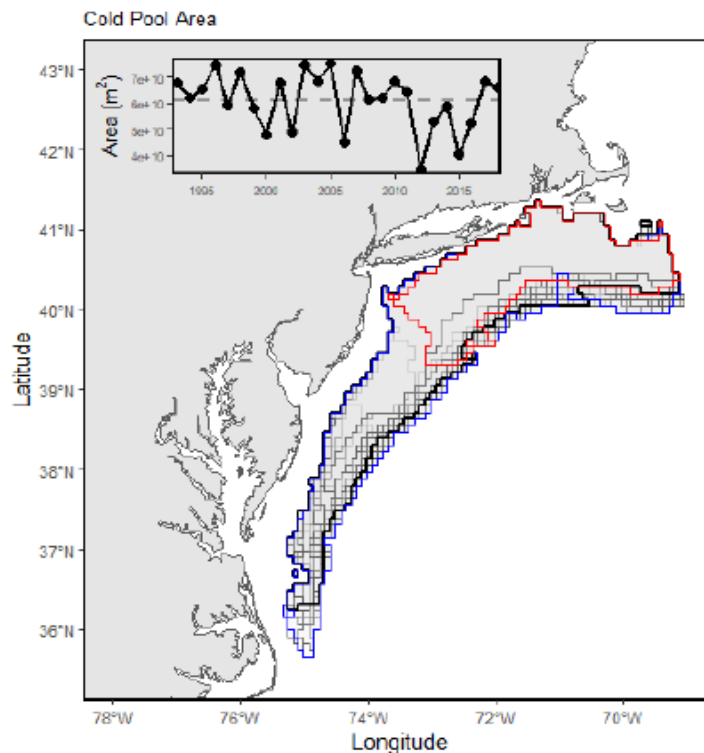
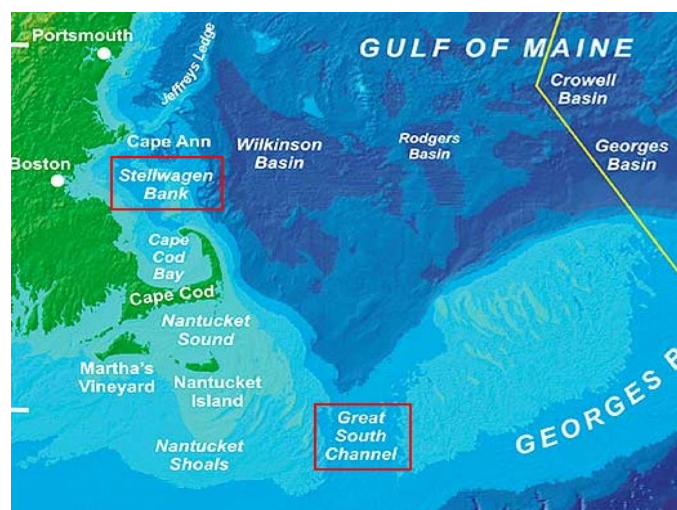


Figure 34: Map of cold pool area. Time series of cold pool spatial extent from 1993-2018. Black = 2018 (Last year in time series), Red = 2012 Minimum area, Blue = 2005 Maximum area.

3

See below for a chart of the Great South Channel which forms this natural barrier:



4

³ See [State of the Ecosystem 2021: Mid-Atlantic Revised \(noaa.gov\)](https://www.noaa.gov/state-of-the-ecosystem-2021-mid-atlantic-revised).

⁴ See <https://www.google.com/url?sa=i&url=https%3A%2F%2Fearthsky.org%2Fearth%2Fthe-foraging-acrobatics-of-humpback-whales%2F&psig=AOvVaw0SKrQx6tvrSnMYBlor2-M-&ust=1668614397636000&source=images&cd=vfe&ved=0CA8QjRxqFwoTCNjOp5fHsPsCFQAAAAAdAAAAABAD>.

Based on the discussions about management implications in particular, we have concerns that including vital areas to Southern New England fisheries, including those south of Nantucket, in a Georges Bank Ecosystem FMP potentially in the future would have significant negative impacts on Southern New England vessels and existing fisheries. Therefore, we request that the natural barrier of the Great South Channel as a point of delineation between Southern New England and George's Bank be implemented into the discussion at this stage.

Additionally, we have serious concerns about the potential future management implications of this approach. This approach initially began development many years ago as a potential way to avoid choke stocks for New England groundfish vessels while allowing for opportunity to target higher biomass groundfish stocks. If the exercise and potential future management associated with it were to apply solely to the groundfish complex, we would have no concerns.

However, it has been made very clear at recent EBFM Public Information Workshops that the intent would be to include stocks managed and permitted by entities other than the New England Fishery Management Council within a Georges Bank Ecosystem FMP, including those managed by the Mid Atlantic Fishery Management Council. Southern New England vessels, including Seafreeze vessels and vessels that unload at our facilities, primarily harvest species managed by the Mid Atlantic Fishery Management Council, particularly since the implementation of the New England groundfish sector system.

Species such as longfin squid, illex squid, butterfish, mackerel, fluke, scup, and black sea bass are all species for which our vessels and vessels that unload at our facilities have invested in permits, business models, gear and equipment. These investments are not insignificant. According to presentations and explanations of how EBFM would work, given at the EBFM Public Information Workshops, the New England Fishery Management Council would assume management authority for the percentage of Mid Atlantic managed species occurring in its Georges Bank Ecological Production Unit under an Ecosystem FMP. This would purportedly occur after consultation with the Mid Atlantic Fishery Management Council to ensure alignment with the Mid Atlantic Council's management goals for those stocks. Fisheries access to the Georges Bank Ecosystem FMP complex would then be granted via a form of Georges Bank Ecosystem permit.

We do not support this approach. While the science of an ecosystem model is a scientifically interesting concept, the management implications are tremendous, with our vessels and other Southern New England vessels destined to be the collateral damage. Should a percentage of a particular species that we harvest and rely on be determined to exist in a Georges Bank Ecosystem FMP, and that percentage taken off the top of either a federal coastwide quota currently able to be accessed only by species-specific federal permit holders, or off of a state allocated quota currently able to be accessed only by species- and state- specific permit holders, in order to now be allocated to the Georges Bank Ecosystem FMP holders, we will immediately lose quota and access to an entirely new group of entities which have not invested in these permits or fisheries.

Entire fisheries federally managed by the Mid Atlantic Council, or state fisheries managed by the Mid Atlantic Council/Atlantic States Marine Fisheries Commission/individual states will experience direct loss of quota which would be absorbed into a Georges Bank Ecosystem FMP. Those eligible for a Georges Bank Ecosystem FMP permit who do not currently have access to these fisheries are most likely to consist of vessels engaged in the groundfish fishery who have not invested in the related permits. As

fisheries such as the squid fisheries are lucrative fisheries, effort in these fisheries would most likely increase, leading to earlier closures and other management implications. Including Nantucket Shoals and Southern New England, which encompasses the longfin squid and other fisheries occurring in that area, would only serve to exacerbate the impact.

We understand that the New England Fishery Management Council is initiating this as a scientific exercise. However, the scientific exercise cannot be disassociated from management, as science is the driver of management and the Council has been clear in its desire to develop management recommendations from this exercise. Discussing the management implications up front is necessary for a transparent process.

As the Council is soliciting feedback through the EBFM Public Information Workshops and other means, it is important that the Council understand these concerns. We request that jurisdictional and management issues be included and discussed transparently at the outset, including the involvement of other management bodies and stakeholders, should the continued exercise include species and fisheries other than groundfish and managed outside the New England Council process.

Thank you for the opportunity to comment.

Sincerely,

Meghan Lapp
Fisheries Liaison, Seafreeze Shoreside and Seafreeze Ltd.

CC: Eric Reid, Chairman, New England Fishery Management Council
John Pappalardo, Chairman, Ecosystem Based Fisheries Management Committee
Mike Pierdinock, Vice-Chair, Ecosystem Based Fisheries Management Committee



Dear Chairman Bellavance,

11/17/2022

The Maine Coast Fishermen's Association (MCFA) is an industry-based non-profit which identifies and fosters ways to restore the fisheries of the Gulf of Maine and sustain Maine's historic fishing communities for future generations. Established and run by Maine community-based fishermen, MCFA works to enhance the ecological and financial sustainability of the fishery through balancing the needs of the current generation of fishermen with the long-term environmental restoration of the Gulf of Maine. To this end, MCFA established the Maine Coast Community Sector (MCCS) and continues to provide support for the sector to ensure its continued success. With members living in Maine communities ranging from Kittery to Mount Desert Island, our fishermen represent a diverse range of fishing and have come together to form a cohesive voice to weigh in on important management issues facing the groundfish fleet. As such, we would like to take this opportunity to comment on the status of the white hake stock.

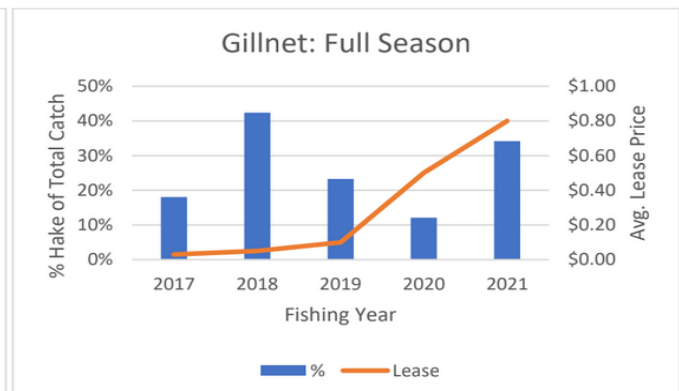
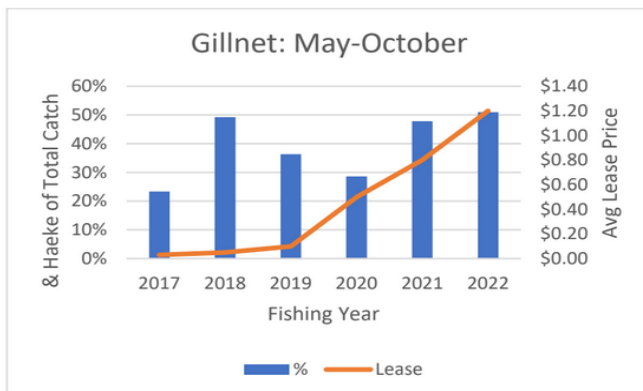
Our organization believes strongly in using the best available science to manage our ocean resources, and we have done significant work over the years to ensure that timely, accurate, and precise data are the foundation of management in the groundfish fishery. Unfortunately, we are increasingly concerned at the growing disconnect between what fishermen are experiencing on the water and what stock assessments are projecting for allowable catch. What is especially concerning is that the disconnect between stock assessments and reality seems to be moving in different directions depending on the species. In this letter, we are focusing on white hake, as there is a strong consensus among the fishermen actively fishing in the Maine Coast Community Sector that they are an abundant stock, but we would like to point out that we have raised concerns about the perceived over assessment of species like pollock and haddock for many years based upon many of the same indicators we will be bringing forward today.

We urge managers and scientists to incorporate fishermen's knowledge and expertise into consideration when setting upcoming quota and consider using nontraditional data like lease price, permit valuations, and landings value to put guardrails around a stock assessment process which many, even within the science center, suggest has significant flaws.

As such, MCFA is requesting the following

- Provide analysis of switching from a 70% MSY to 75% MSY when setting quotas for the white hake stock. This should include economic benefit to the industry as well as risk to the stock and rebuilding plan.
- Analysis of how disrupted trawl surveys during COVID-19 have impacted that data going through the stock assessment. With nonconsecutive data on year classes going into assessments, we worry that recruitment is being underestimated by omission.
- Work with industry to better understand where small and juvenile hake reside and how mesh sizes, and access to inshore fishing grounds may reduce catch in both the trawl survey and fishery dependent data.

Lease and Catch Data:



Inshore and offshore draggers and gillnetters have been telling us that they cannot get away from hake and the data supports those observations. Hake has been a constraining stock for several years, but fishing year 2022 has been the most challenging yet. From FY2017 to FY2022 quota lease prices have jumped from \$0.03 to \$1.20, on average. And while industry has been desperately trying to avoid hake, the percent of their hake catch to total groundfish catch has been increasing since quota was cut in FY2020. Summer and fall are the inshore boats primary fishing season. Since the start of FY22 hake has accounted for 51% of Maine Coast Community Sector gillnet catch and 28% of trawl catch. These high

rates of catch coupled with high lease prices has resulted in multiple boats halting their fishing operations as they are unable able to afford to go fishing.

In addition to an abundance of hake in traditional fishing areas, there is also evidence that hake are present in fishing grounds which were previously not know for hake catch. MCCA fishermen have been seeing large quantities of hake on inshore fishing grounds for several years, and offshore draggers are indicating that they are also seeing increased quantities of white hake in traditional and non traditional hake fishing grounds. In the past, these larger boats been able to more easily avoid hake by prospecting further out and at different depths. This fishing season, however, the offshore fleet is having difficulty avoiding hake. This shouldn't be overly surprising, as the spawning stock biomass is increasing in our stock assessments at an encouraging rate, yet indicators suggest recruitment is down and that is driving the decrease in allowed landings. There is concern that the smaller year classes are being missed in both trawl survey data and fishery dependent data and we would encourage the PDT and SSC to explore gaps that may exist in the data process which may contribute to this issue.

The sector system was set up to create incentives for fishermen to avoid stocks of constraint and target stocks of abundance. When businesses cannot avoid those constraining stocks (or sustainably target the abundant stocks), it is a clear sign that the assessment is out of sync with what in the oceans. When quotas are set too high and too low at the same time it encourages fishermen to target those artificially low species which can ultimately lead to overharvest when science and data catches up to reality. We are experiencing this right now with GOM haddock and pollock. There are far more hake out there and far less pollock or haddock than the stock assessments are showing. Inaccurate TACs have rendered pollock \$0.005 per pound to lease, GOM haddock at \$0.005 per pound to lease and hake \$1.20 per pound to lease. The industry is incentivized to target stocks what they know to be a relatively less abundant to make a living. This leads to increasing instances of "boom and bust" stock assessments with severe retrospective patterns and increasing disruption to fishing businesses and the ocean ecosystem.

In addition to our comments, we have also included four letters from Maine fishermen who fish with different gear types, in different areas, and at different times of year.

We urge managers to find ways to incorporate fishermen's observations into the stock assessment process when certain indicators such as lease prices and catch composition indicate that there are significant differences in stock assessment and on the water observations.

Sincerely,



Mary Hudson
Director of Fisheries Programs, MCFA
Sector Manager, MCCA

DATE: November 7, 2022.

To whom it may concern:

My name is Geordie King. I am 62 years old and have been gillnetting more or less full time since 1982. I am an offshore gillnetter and own a 49' fishing vessel built in Newfoundland. The reason I even mention Newfoundland is to point out the reality that there are simply no mid-sized (45' – 55') commercial fishing vessels built in the U.S. anymore of the style and design I need to conduct my fishery. There are scores of large steel draggers and smaller fiberglass lobsterboats but that in-between “sweet spot” is a void as far as U.S. boatbuilding is concerned. This is due to myriad factors, not the least of which is (in my opinion) mis-regulation by NOAA, NMFS and the regional fishery councils. The regulations since changing from a DAS scheme to a quota scheme have undoubtedly favored the larger, corporate owned vessels with access to the substantial capital required to purchase vessels, permits and now (with the advent of the quota / sector system in 2010) lease fish.

It is these last two words of the paragraph upon which I will elaborate.

As a gillnetter, I am essentially limited in my fish species harvesting portfolio. That is, the species of fish my gillnets catch are very limited. With the vast closed areas (western GOM and Cashes Ledge in particular) combined with an abysmally low TAC, there has been a de facto codfish closure. Haddock by virtue of their bodies' narrow cross-section are more or less immune to being caught in a 6 ½" mesh-size gillnet. This leaves merely (3) primary species which gillnetters “work” on: monkfish, pollock and white hake.

We used to catch so much pollock back in the 1980's and 1990's that we termed them “generic fish”. Sadly, the pollock resource has dwindled to the point that it is a mere shadow of its former self. (I often wonder if the warming GOM is the culprit as pollock are a cold-water species). Regardless of the true health of the pollock resource, NMFS (in its infinite wisdom) has set a relatively huge pollock TAC. The silver lining in this is that the resulting supply and demand metric has kept leasing prices very low on pollock, making targeting that species a profitable venture. Pollock has also become a desirable species on the northeast seafood / restaurant market and this has led to favorable increases in ex-vessel pollock prices.

In contrast to pollock, (in my own and peers experience) the white hake resource has appeared to have increased exponentially in recent years. In short, I have never seen as many white hake on a vast number of fishing grounds as I have these past 3 – 5 years. (These areas include but are not limited to: Jefferies Ledge, Fippenies and Cashes Ledge, Parker Ridge, Davis Swell and Platts Bank). White hake have in fact become so wide spread and plentiful that they are now deemed a “choke” species much like codfish was in the past. In a perfect and normal world this would be great news and what one would hope for. Well folks, this isn't a perfect world (never was, never will be) and NMFS (once again) has rocked the boat to the point of it nearly capsizing. How you ask??? By allotting a miniscule white hake TAC in relation to the true size and spatial scope of the resource. In contrast to that of pollock, this has created a supply and demand metric which has placed a premium and unrealistic price on white hake leasing. This has resulted in a strange dichotomy; one which favors and rewards the larger, more capitalized vessels and penalizes the smaller, less financially-secure vessels. This situation has become so dire in fact that many of my peers (myself included) have decided to either slow down their fishing schedules or tie up altogether.

(Continued)

The fish leasing price metric always seems to start out low at the beginning of the fishing year in May and steadily increase throughout the late summer, fall and winter months only to greatly decrease in springtime which is the regulatory end of the fishing year. Ironically, some quota always seems to go wasted as the quota “leasers” hoard it in hopes of cashing in at some point, only to find their quota worthless at the end of the fishing year when demand has dried up.

For obvious reasons this situation is good for no one but certainly not for the smaller vessel fleet which bears the brunt of it. This is not to mention the crewmembers and shoreside support infrastructure, all of whom take a financial hit every time a vessel is powered down and becomes a “dock ornament”.

In closing I would ask the powers that be at NMFS to take a hard look at the true condition of the white hake resource and ask themselves if they might in fact have this one wrong. Is a mid-season reassessment possible? I hope so. Can the various TAC’s be adjusted prior to the start of a new fishing year or prior to them coming up for periodic adjustment? I hope so. The TAC / quota / leasing conundrum needs to be critically looked into. NMFS often makes decisions which run roughshod over individual fishemans best interests, unarguably with dire economic implications. I would think and hope that in this great country, we could do better insofar as fisheries management is concerned.

To reiterate; I would hope that NMFS can do a midterm reassessment of the white hake resource (using sound, real-time science) and allot additional quota to the 2022 / 2023 fishing year so that the financial bottleneck their regulations have created can be eased and “traffic” can flow once again. If this is not possible, I would hope that they can at least do something for the upcoming (2023 / 2024) fishing year so that this social / economic disaster is not repeated again and we can get back to some semblance of economic normalcy.

Respectfully submitted, Geordie King. F/V Brittany Lynn, Eliot Maine.

Member of the Maine Coast Community Sector.

To Whom it May Concern,

My name is Walter A. Leeman III. I have been an owner/operator and a captain in the ground fish industry for forty years. I fish primarily in the Gulf of Maine, but also spend a significant amount of time on Georges Bank. For most of my career I have fished large draggers that go offshore and make 5-10 day trips.

For most of my history I have targeted species basically in the 'good' bottom (hake, flounders, monkfish). In the last few years, I've been avoiding hake because of diminishing quota. Being experienced on where hake can be found (or avoided) I've been able to make it work. This year however, things have changed. I'm catching hake everywhere I go. For an example, last trip I made 50 tows. 95% of my tows were in spots where previous years there were **no hake**, yet we landed over 10,000 lbs. of hake, which is unprecedented. The assessment for what's in the ocean is obviously way off. I've heard that because there aren't many small hake being landed it is assumed that there is low recruitment. From my experience it's almost impossible to catch a small hake with a 6.5 inch mesh cod end; they swim right through, as anyone could tell if they look at my past landings over the decades. The percentage of smalls are very minimal but not because they are not there, because we cannot catch them with our gear. I hope something can be done about the direction management is headed or every fisherman will be shut down for not having enough quota for a species that there is an obvious abundance of.

Thank you,

Aldie Leeman
F/V Francis Dawn
Harspswell, ME/Boston, MA

To Whom it May Concern,

My name is Vincent Balzano and I am a third generation fisherman out of Portland, Maine with over 30 years of experience. I also served nine years on the New England Fishery Management Council from 2012-2021.

The first thing that comes to mind when I think of what's going on with white hake on the water is this: I've pretty much fished the same area the same way (day trips out of Portland on a dragger) since the mid 1980's. I never really caught or came across many hake my first few decades of fishing. I'll point to the potential sector contribution (PSC) on the long-time multispecies permit I have to show this; when allocation was redistributed from DAS to quota I received very little white hake allocation, despite high fishing effort during those years. When I returned to groundfishing a few years ago, after a decade away, the first thing that stood out to me was how many hake I was seeing. Not only am I seeing hake in the deeper water (I call over 80 fathoms deep water) I'm seeing them in all depths from 50 fathoms deeper depending on feed.

Some important observations I'd like to point out:

- Hake seem to be chasing (feeding on) pogies (menhaden)
- I've seen an increase in hake abundance in each of the last 3 years.
- The strengths I see with the white hake stock
 - Strong Distribution
 - Present in multiple depths and areas at the same time
 - A more consistent CPU
 - Of course you'll do better or worse from tow to tow or day to day but it is nothing like a stressed stock when catch all or nothing.
 - Diverse Size Structure
 - Multiple year classes: I'm seeing a full range of sizes from sows to small.
 - I don't know the L 50 of white hake in a 6.5" codend: I mention it because I think we're not seeing a high percentage of the mediums and small because of the size of our mesh.
 -

I am deeply concerned about what the science and management indicates of the hake stock status and is planning on setting quotas based on versus what I am seeing on the water. I strongly encourage scientists and managers to work with industry to reconcile this gap.

Thank you,

Vincent Balzano
F/V Northern Lights, F/V North Star
Portland Maine

To Whom It May Concern,

My name is Brian Pearce and I've gillnetting out of Portland, Maine fulltime since 1987. In the past several years I've seen as much white hake around all fishing areas of the Gulf of Maine as anytime in the past 35 years. Obviously, the stock is robust, dispersed, and thriving. The low quota allocation for this stock has hindered my ability to groundfish through the summer and fall months of FY22; leasing is not an option as it is a supply and demand system and we all know how that works out for smaller, less capitalized businesses. I have been tied up for months now because the hake lease price is too high and market price too low. Where usually my fishing season lasts eight months, this year I fished only three months, and targeted monkfish with 12-inch mesh to avoid hake. With the number of hake currently in the Gulf of Maine, I am unable to target any groundfish stocks without losing money. Please consider researching this issue further as it is detrimental to the small to midsize fleet.

Thank you,

Brian Pearce
F/V Gracelyn Jane
Portland, ME