

CORRESPONDENCE



ATLANTIC OFFSHORE LOBSTERMEN'S ASSOCIATION

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March 15, 2017

Dr. John F. Quinn
Chairman, New England Fishery Management Council
50 Water Street, Mill 2, Newburyport, MA 01950



Dear John,

This letter follows on our March 13th discussion of the skate fishery and recent actions by NOAA. The regulatory actions caused major problems for the offshore lobster and Jonah crab fleet because skates are a popular bait product. Bait prices skyrocketed and far worse, for a short period, there were literally no skates available. This situation also affected northern New England inshore lobstermen who use skates as bait in areas with high concentrations of slime eels, where few other baits hold up. To be clear, NOAA did what the skate FMP required.

In addition to the lobster and Jonah crab industry, NOAA's action had negative impacts on many other New England fishing fleet, including the monkfish and directed skate bait fisheries. For example, most of the vessels in the small boat (30-50 foot) SNE monkfish large mesh gillnet fishery encounter significant quantities of skate as a bycatch when they target monkfish in nearshore areas. However, the size of these vessels limits the fleets' ability to move offshore in winter months to avoid skates. This left them with three options; fish inshore and discard large quantities of skates, terminate fishing all together, or fish offshore in areas that their vessels are not equipped to operate. None of these desirable from operational, safety, and fishery management perspectives. Therefore, I ask that NEFMC consider amending the FMP to avoid similar regulatory actions in the future.

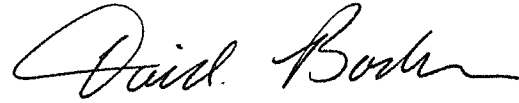
I suggest that any amendment to the skate plan work to slow down landings gradually, avoid accountability measures that inadvertently create discards which then trigger ACL reductions, and consider decoupling wing and bait fishery regulatory responses. As the plan currently stands, the required regulatory action taken by NOAA likely triggered additional discards, which will be deducted from future year's allocations, setting up a downward spiral in which ACL goes down, each time regulatory discards go up. In discussions with the directed bait industry, they relate that nuances in the current regulations require NOAA to take simultaneous action in both the wing and bait fisheries. However, the directed bait industry seems to be in favor of actions that slow the fishery down rather than actions that trigger de-facto closure.

Finally, as we both know, there will be many different and competing perspectives to consider ahead of initiating a regulatory change, including staff time, Council priorities, NOAA flexibility, timing, and legal constraints. Therefore, rather than have this issue addressed by the Council as a whole, I suggest it would be more efficient to request the Executive Committee, in consultation with NOAA staff, discuss this issue and formulate a strategy for Council consideration.

Ph 3/17/17

Thank you very much for your consideration of this request, and happy to discuss such by phone or provide contact information for others who were negatively affected.

Best Regards,

A handwritten signature in black ink that reads "David Borden". The signature is fluid and cursive, with the first name "David" being more prominent than the last name "Borden".

David Borden
Executive Director

cc:

John Bullard, Regional Administrator, NOAA NMFS GARFO

Michael Pentony, Asst. Regional Administrator for Sustainable Fisheries, NOAA NMFS GARFO

Tom Nies, Executive Director, NEFMC

J. Grant Moore, President, AOLA