

From: STEPHEN SMITH <stephens_7@comcast.net>
Sent: Monday, March 30, 2020 9:04 AM
To: McKiernan, Dan (FWE)
Subject: Fisheries closure

Hi Dan

I'd like to comment to MA and the federal fisheries commissions about the current situation essentially closing the seafood industry.

Due to the quarantine the wholesale fish markets are essentially closed here on Cape Cod. I have a multi-species permit with 27 DAS on it for the 2020 season ending May 1. Next year I have 17 DAS. Since February I have invested thousands of dollars in equipment, life raft, dockage and unloading permits at Saquatucket harbor in Harwich. My vms system is active. I am in the common pool using handlines.

My suggestion is that the 2020 fishing season be extended 30 days until June 1. Since many fishing boats have been inactive during March and likely will not be in April there hasn't been a significant catch in this area. I do not see this extension having an impact on stocks. Any closure for right whales and fixed gear would still be applied. The extension would allow fishing boats to possibly make up for some of the financial losses now being experienced.

Please forward this to any of the appropriate regulating committees.

Thank you

Steve Smith



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

April 2, 2020

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

Dear Chairman Quinn,

The New England and Mid-Atlantic Fishery Management Councils recently submitted for review the Joint Omnibus Commercial Electronic Vessel Trip Report Framework Adjustment. This action would require all commercial vessels issued a permit for any species managed by either Council to submit vessel trip reports electronically within 48 hours of the end of each trip. This would bring all commercially permitted vessels in line with for-hire (charter/party) vessels issued a permit for Mid-Atlantic Council-managed species. At this time, vessels issued only for-hire permits for New England Council-managed species (i.e., those vessels who do not hold permits for any commercial or Mid-Atlantic Council-managed for-hire species) would not be subject to this requirement for electronic reporting, should the framework be approved and implemented. There are currently fewer than 15 for-hire vessels with permits for only New England Council-managed species. At the June 2019 meeting, the Council discussed and moved to include its for-hire vessels in the action, but after discussions with the Mid-Atlantic Council, the action moved forward as commercial only.

Based on our review of the available information, and to minimize confusion and increase compliance, I recommend using our authority under section 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act to extend this requirement to for-hire vessels issued permits for New England Council-managed species through the forthcoming Commercial eVTR rulemaking. Maintaining a paper-based VTR system for just a handful of vessels would be inefficient and an unnecessary administrative burden. As you know, outreach and training on the electronic reporting requirement are paramount to the success of this action. Eliminating exceptions to the requirements will improve those outreach efforts and streamline the outreach materials, rulemaking, and regulatory text. We will reach out specifically to these for-hire vessels with permits for only New England Council-managed species and look forward to further discussing this issue at the upcoming April New England Council meeting.

If you have any concerns or questions, please contact Moira Kelly (Moira.Kelly@noaa.gov, 978.281.9218).

Sincerely,

Michael Pentony
Regional Administrator



From: Michael Pierdinock [<mailto:sbcbamp@gmail.com>]

Sent: Sunday, April 05, 2020 4:20 PM

To: Tom Nies <tnies@nefmc.org>; Michael Pentony <michael.pentony@noaa.gov>; NMFS.COVID-19@noaa.gov

Cc: Chris Oliver <chris.w.oliver@noaa.gov>; dan.mckiernan@state.ma.us; ronald.amidon@state.ma.us; william.duffy@noaa.gov; Richer, Claire (Markey) <claire_richer@markey.senate.gov>; andrew.nelson@mail.house.gov; sarah.peake@mahouse.gov; patrick. Kearney@mahouse.gov

Subject: Corona Virus Impacts to the Recreational Anglers & For Hire Fleet

Mike/Tom:

On behalf of the SBCBA that represents the for hire fleet and recreational anglers that fish our Massachusetts state and federal waters beyond, the corona virus has shut down the for hire fleet with haddock trip cancellations associated with the opening April 15th as well as the May 18 black sea bass trips. We are also having problems with marinas having staff available to have our boats ready to be placed in the water for the upcoming season. We are concerned the entire upcoming season may be at risk with clientele having lack of funds to go on for hire trips. Many captains have already used their clienteles deposits to pay for insurance, dockage and vessel repair and are at further risk if things don't turn back to normal soon. The state and federal financial relief to obtain unemployment insurance as well as SBA loans is a step in the right direction but depending upon the duration of restrictive measures many may just close shop.

Prior to the state/town restrictions a OUPV 6 pack vessel could leave the dock and follow the CDC social distancing measures, washing hands and surfaces and other measures but in reality few were leaving the dock. Party boat operators have no options unless they limited the trip to ten or less people in total on the boat that financially makes no sense. If one follows the CDC measures and if there was a cost effective mechanism to corona test all essential employees and/or patrons with a 15 minute corona test daily the comfort level would be such that it would then be safe to leave the dock.

We need to maintain the ability for recreational anglers, clammers, etc to fish and put food on the table. There have been many inquiries with those concerned that ability to do such may stop. Follow CDC recommended measures when conducting such activities.

There are no MRIP interviews presently being conducted and few are fishing other than select recreational anglers. We hope that the fall season can be opened for those species where there are fall closures such as black sea bass, summer flounder, etc. This will provide us some financial relief and would provide a mechanism for recent MRIP fall landing data for species of concern that is lacking in our waters due to ongoing fall closures.

We anxiously await the details concerning financial relief for the for hire fleet for losses greater than 35% that will be administered by NOAA later in the year.

Be safe, be healthy and maintain the CDC distances and implement the CDC measures so we can get back in running in early May or sooner.

If you have any questions or comments please email or give me a call.

Thanks

Capt. Mike Pierdinock

SBCBA, President

(617) 291-8914

Stellwagen Bank Charter Boat Association

P.O. Box 1230

Marshfield, MA 02050

www.stellwagenbank.org

From: Marc [<mailto:ijigcod@mindspring.com>]

Sent: Saturday, April 18, 2020 10:44 AM

To: Tom Nies <tnies@nefmc.org>

Cc: Cheri Patterson <cheri.patterson@wildlife.nh.gov>; Peter Kendall <peter.kendall@comcast.net>; Michael Pentony <michael.pentony@noaa.gov>; John Quinn <jquinnfish@gmail.com>

Subject: RE: Groundfish Emergency Action

Hi Tom,

Thank you and the Council for taking this on. I never fished under DAS since I am Handgear HA fisherman but from a HA perspective we would be left out if only DAS are allowed to carryover. I would guess years ago before Sectors the "currency" was DAS but now it's a different world (on so many levels). If I remember correctly just about all the closures in the common pool were related to some choke species reaching 90% that closed the Trimester to all fisherman capable of catching more than de minimis quantities of that stock. Looks like not much going on now in this trimester and nothing more than 50% caught so far with 12 days left in the year (see link below). Carrying over GOM cod and some other species would really help. Maybe the answer is to carry over both fish stocks and DAS for the common pool.

Very respectfully,

Marc

Summary Table Common Pool 3rd Trimester Catch Monitoring

Report run on:
For data reported through:
Quota Period:
Quota Period Dates:

April 16 2020
April 14 2020
2019
Jan. 1, 2020 to Apr. 30, 2020

Stock	Cumulative Kept (mt)	Cumulative Discard (mt)	Cumulative Catch (mt)	Overage (mt)*	Adjusted Catch (mt)**	Sub-ACL (mt)	Percent Caught
GB Cod	0.4	0	0.4	-32.0	-31.6	20.4	0
GOM Cod	0.4	0	0.4	-4.2	-3.8	2.0	0
GB Haddock	0.5	0	0.5	-506.0	-505.6	337.7	0
GOM Haddock	1.9	0	1.9	-44.0	-42.2	45.1	0
GB Yellowtail Flounder	0.0	0	0.0	-1.2	-1.2	1.7	0
SNE/MA Yellowtail Flounder	0.1	0	0.2	-2.9	-2.7	5.9	0
CC/GOM Yellowtail Flounder	0.3	0	0.3	-13.5	-13.2	3.6	0
Plaice	0.2	0	0.2	-22.1	-21.9	5.6	0
Witch Flounder	0.6	0	0.6	-15.0	-14.4	5.8	0
GB Winter Flounder	0.0	0	0.0	-10.1	-10.1	21.7	0
GOM Winter Flounder	0.2	0	0.2	-12.2	-12.0	4.5	0
Redfish	0.0	0	0.0	-31.6	-31.6	25.2	0
White Hake	0.1	0	0.1	-7.9	-7.8	6.5	0
Pollock	0.2	0	0.2	-141.7	-141.5	91.8	0

Stocks with trimester TACs only. For others see full year table below.

*Net overage rolled over from previous trimesters. Negative values represent a net underage.

**Catch may appear negative due to underages from previous trimesters.

Summary Table Common Pool Full Year Catch Monitoring

Report run on:
For data reported through:
Quota Period:
Quota Period Dates:

April 16 2020
April 14 2020
2019
May 1, 2019 to April 30, 2020

Stock	Cumulative Kept (mt)	Cumulative Discard (mt)	Cumulative Catch (mt)	Sub-ACL (mt)	Percent Caught
GB Cod East	0.0	0.0	0.0	6.5	0.0
GB Cod	1.6	0.2	1.8	53.8	3.3
GOM Cod	3.9	1.2	5.1	10.9	47.0
GB Haddock East	0.0	0.0	0.0	237.7	0.0
GB Haddock	1.0	0.0	1.0	844.3	0.1
GOM Haddock	8.7	0.1	8.8	96.1	9.2
GB Yellowtail Flounder	0.0	0.0	0.0	2.9	0.0
SNE/MA Yellowtail Flounder	0.4	0.0	0.4	9.0	4.1
CC/GOM Yellowtail Flounder	3.8	0.8	4.6	21.4	21.5
Plaice	3.6	0.4	3.9	31.4	12.5
Witch Flounder	2.8	0.1	2.9	23.1	12.5
GB Winter Flounder	0.0	0.0	0.0	31.8	0.0
GOM Winter Flounder	1.5	0.0	1.6	18.1	8.8
SNE Winter Flounder	8.1	0.1	8.2	73.9	11.1
Redfish	0.4	0.0	0.4	57.2	0.7
White Hake	6.8	0.0	6.8	21.1	32.2
Pollock	14.8	0.0	14.8	248.1	6.0
Northern Windowpane	0.0	0.0	0.0	63.0	0.0
Southern Windowpane	0.0	2.5	2.5	53.0	4.7
Ocean Pout	0.0	0.2	0.2	94.0	0.2
Halibut	1.0	0.0	1.0	75.0	1.3
Wolffish	0.0	0.0	0.0	82.0	0.0

Notice

The 2019 Quota Period began on May 1, 2019, therefore this report does not contain any landings reported prior to May 1, 2019.

This report include estimates of missing landing reports.

Management actions for the Common Pool Program, under the authority of the Regional Administrator (such as closures and possession limits) are based upon Vessel Monitoring System (VMS) reports and other available information.



**National
Oceanic and
Atmospheric
Administration**

These data are the best available to NOAA's National Marine Fisheries Service (NMFS) when this report was compiled. Data for this report may be supplied to NOAA Fisheries Service (NMFS) from the following sources: (1) vessels via Vessel Monitoring System; (2) Vessel Trip Reports; (3) fish dealer purchase reports; and the (4) NOAA Fisheries Service Observer Program, through audited observer reports submitted by the Northeast Fisheries Science Center. Data in this report are for landings made through April 14 2020 and may be preliminary. Differences with data from previous reports are due to corrections made to the database and updates to observer data.



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

April 20, 2020

Mr. Michael Pentony
Regional Administrator
Greater Atlantic Regional Fisheries Office
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Dear Mike:

On April 15, 2020, the Council passed the following motion:

That the Council requests that NMFS use its authority under section 305(d) of the M-S Act to extend the eVTR requirement to for-hire vessels issued permits for NEFMC managed species.

The motion *carried* on a roll call vote (16/0/1).

Consistent with the Council motion and the recommendation put forth in your letter to the Council on April 2, 2020, I ask that the requirement to submit vessel trip reports electronically be extended to for-hire vessels with permits for species managed by the Council. Extending the eVTR requirement to include New England for-hire vessels that are not currently subject to it is consistent with the Council's discussion on eVTRs in June 2019. Addressing this matter under 305(d) authority will streamline the rulemaking process and ensure that reporting requirements are consistent across all Council-managed species in the Greater Atlantic Region.

Thank you for considering this request. Please feel free to call me with any questions.

Sincerely,

Thomas A. Nies
Executive Director



800 North State Street, Suite 201, Dover, DE 19901
Phone: (302) 674-2331 | FAX: (302) 674-5399
Michael P. Luisi, *Chairman*
Christopher M. Moore, Ph.D., *Executive Director*



New England
Fishery Management
Council

50 Water Street, Newburyport, MA 01950
Phone: (978) 465-0492 | FAX: (978) 465-3116
John F. Quinn, J.D., Ph.D., *Chairman*
Thomas A. Nies, *Executive Director*

April 22, 2020

Mr. Mike Pentony
Regional Administrator
National Marine Fisheries Service Greater Atlantic Region
55 Great Republic Drive
Gloucester, MA 01930-2276

Dear Mike:

The New England Fishery Management Council and the Mid-Atlantic Fishery Management Council reviewed the draft regulatory text for the eVTR Joint Omnibus Framework in order to deem whether it is consistent with the action's text and the Councils' intent. The review was based on the draft regulatory text provided to the Council staffs by email on April 16, 2020. As a result of discussion with your staff, several clarifications were made to the text provided to the Councils, which were incorporated in the updated version sent to the Councils by email on April 22, 2020. The regulatory text is consistent with the Councils' intent for the measures proposed in the eVTR Joint Omnibus Framework, and we deem them to be necessary and appropriate for the purposes of implementing this action.

Please reach out with any questions.

Sincerely,

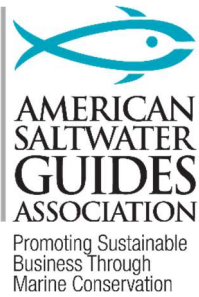
A handwritten signature in black ink, appearing to read "Michael P. Luisi", written in a cursive style.

Michael P. Luisi
Chairman
Mid-Atlantic Fishery Management Council

A handwritten signature in black ink, appearing to read "John F. Quinn", written in a cursive style.

John F. Quinn
Chairman
New England Fishery Management Council

cc: Chris Moore, Warren Elliott, Tom Nies, Eric Reid, Sam Asci, Moira Kelly, Karson Coutré



April 30, 2020

The Honorable Charles D. Baker
Governor of the Commonwealth of Massachusetts
Massachusetts State House, 24 Beacon St.
Office of the Governor, Room 280
Boston, MA 02133

Dear Governor Baker:

Thank you for everything you are doing to lead Massachusetts through the COVID-19 pandemic. We are writing on behalf of Massachusetts' saltwater fishing guides and charter boat captains to request that they be allowed to resume operations at the time of Phase One reopening of the state.

We are supportive of the actions you have taken thus far to reduce the spread of the virus. We recognize that we are living in an unprecedented crisis and that it is your responsibility to take every action that is in the best interest of public health. That being said, the recreational fishing for-hire industry stands to suffer profoundly following your suspension of charter fishing operations on April 27.

In Massachusetts, spring is a critical time for our community. After a winter of investing in boat maintenance and equipment, insurance, and marina fees, these small business owners rely on the spring months to gain back those losses and begin to earn income for the year. With charter fishing now prohibited in Massachusetts, two weeks after the April 15 opening of haddock season and prior to the May 18 black sea bass opening date, revenue from the spring season will be severely compromised. Without the ability to take clients fishing, many guides and charter boat captains may soon face the reality of being forced out of business.

We are hopeful that in the coming weeks the number of new COVID-19 cases will begin to decrease, and that with that decline and other positive indicators you will consider reopening parts of the economy. We are not public health professionals and do not intend to provide input on when such a reopening should occur. However, given the open-air nature of the for-hire industry and the economic devastation the virus has inflicted upon it, it is our sincere hope that the for-hire fleet will be considered among the first businesses able to resume operations.

Should we be allowed to operate, we are confident that our businesses can adhere to the directives from both the Centers for Disease Control (CDC) and the Commonwealth of Massachusetts to inhibit further spread of COVID-19.

Examples of preventative actions that our industry members are prepared to take include:

- Requiring completion of a COVID-19 prescreening questionnaire 24 hours prior to charter departure, and maintaining these records for state collection and audit;
- Requesting that all clients who are feeling ill or showing any signs of being infected cancel the trip prior to arrival with no penalty for cancellation;
- Limiting the number of clients on board so as to maintain recommended social distancing guidelines;
- Requiring clients to provide their own food and drink stored in personal containers rather than a communal cooler;
- Wearing approved face coverings and gloves;
- Carrying cleaning and disinfecting materials, soap, water, and hand sanitizer on board;
- Regularly cleaning and disinfecting all areas of the vessel at the beginning and end of each trip; and
- Cleaning frequently touched surfaces such as handrails and fishing equipment over the course of each trip.

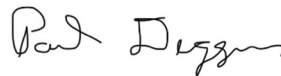
The saltwater fishing guides and charter boat captains who live in Massachusetts are hard-working American entrepreneurs who, like so many others, have been left with little economic recourse during the pandemic. We implore you to consider their plight and to take action that lets them resume their work as soon as possible.

Thank you for your consideration.

Sincerely,



Tony Friedrich
Vice President and Policy Director
American Saltwater Guides Association
tony@saltwaterguidesassociation.org



Capt. Paul Diggins
Vice President
Stellwagen Bank Charter Boat Association
captain_paul@bostonfishing.com



Capt. Chris Valaskatgis
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Capt. Don Cianciolo
President
Cape Cod Charter Boat Association
captaindonc@comcast.net



Capt. Barry Gibson
Massachusetts Chapter
Recreational Fishing Alliance
barrygibson6@aol.com

Cc:

Kathleen A. Theoharides, Secretary, Massachusetts Executive Office of Energy and
Environmental Affairs

Daniel J. McKiernan, Acting Director, Massachusetts Division of Marine Fisheries