

## **Correspondence received regarding 2019 Priorities**

Tom Nies, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
[tnies@nefmc.org](mailto:tnies@nefmc.org)

Date: November 1, 2018

Re: 2019 Scallop Priorities

Dear Mr. Nies:

I am writing to you as an owner of Limited Access scallop vessel;

**F/V AMBITION** Doc. No. 609113 and Federal Permit No. 410280; home ported in New Bedford, MA

It is my understanding that industry hosted port meetings in 2018 to discuss issues of concern in the fishery and further requests in 2019, the Council undertake a process to continue these discussions. The meetings' summaries (see attached file) indicate that some concerns identified were aging vessels, and excessive working hours per day affecting crew employment, need for flexibility, effectiveness of rotational access area fishing, and inefficiencies in the fishery. The preferred approach would have the Council hosting two facilitated meetings in 2019, one in the Mid-Atlantic and one in New England to reach across the geographic range of the fishery; to determine a clear problem statement for the Council to consider in a future action. This industry has had many changes since it became limited access fishery in 1994. It is my belief that since the Gen Cat ITQ had their five (5) year review of their fishery; it is time for our fishery to continue discussions.

Additionally, the Summaries identified some guiding principles that could provide an important starting point to build on, such as: ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

As an owner, I support the request that the Council prioritize a process to address these concerns in 2019.

Sincerely,

*Ronald Enoksen*

Cc: Dr. John Quinn, Chairman of NEFMC  
[jquinnfish@gmail.com](mailto:jquinnfish@gmail.com)

**Summary Report**  
Scallop Limited Access Permit Holder Port Meetings  
*Prepared by the Consensus Building Institute*  
**June 8, 2018**

**BACKGROUND**

In January 2018, the East Coast Scallop Harvest Association (ECSHA), a collection of scallop limited access permit holders, asked the Consensus Building Institute (CBI) to organize a series of discussions with the full spectrum of limited access sea scallop permit holders. CBI, a non-profit, neutral entity that specializes in helping people build shared approaches to contentious issues<sup>1</sup>, was retained to:

1. Assist limited access permit holders in identifying the strengths and challenges of the current sea scallop management system.
2. Help identify potential solutions to address the challenges identified during these discussions.
3. Provide recommendations for further engaging limited access permit holders in discussions related to scallop management.

CBI approached this effort in two phases:

- **CBI conducted eight initial, confidential interviews** with a diverse subset of limited access permit holders and fishery managers to become familiar with the scallop fishery's history and current management regulations. These interviews offered an initial view of the range of perspectives.
- **CBI then organized and conducted three regional port meetings** to get a deeper view of permit holders' perspectives and gauge interest in holding further discussions. All limited access sea scallop permit holders were invited and a total of 27 people representing over 112 limited access scallop permits attended at least one meeting: 8 in Hampton, VA; 15 in Cape May, NJ; and 4 in Providence, RI. A handful of non-permit holders and captains also attended the meetings. (A full list of participants is included in Appendix A.)

Below is a summary of the port meeting discussions. This report is not intended to be a transcript; rather, we present key takeaways only. This report also includes recommendations for next steps. This report represents only the views of the individuals who participated in these conversations and may not capture the views of all the limited access scallop permit holders. In particular, fewer than expected New England-based permit holders participated in the port meeting in Providence, RI. Accordingly, this report should be read as a preliminary snapshot of permit holder views. This report is written for the benefit of all limited access permit holders.

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<sup>1</sup> [www.cbi.org](http://www.cbi.org).

## KEY TAKEAWAYS

### **Key Takeaway 1: Confidence in the health and economics of the fishery is high.**

Participants see many important strengths in the current management system including:

- An **abundant, well managed resource**.
- **Effective science** that draws on industry participation (e.g., Research Set-Aside program) and is seen as credible.
- **Science-driven management** (e.g. juveniles allowed to reach maturity, manage to optimum yield).
- Gear requirements that have **reduced bycatch**.
- **Diversity in structure and management types** (e.g. open and access areas, single and multiple permit holders).
- People are **making money**.

Other strengths cited included: enforceable rules (e.g. crew size, VMS, and managed area trips); a flexible management plan (e.g. adjusting DAS to accommodate resource availability); and rotating fishing areas to allow juvenile scallops to mature and reduce habitat impacts through high CPUE. There was no meaningful variation on current strengths by region or participant type.

### **Key Takeaway 2: There are many challenges with the current management system, but these challenges may not be solved by the same solution.**

At each port meeting, participants identified challenges with the existing management structure and flagged their biggest concerns. Port meeting participants see the challenges rooted primarily in the DAS time management structure, the requirement that permits must be associated with a vessel (“stick to steel”), the limited number of days vessels are active in the year, or all three of these factors. Many of these problems apply to both open area DAS and quota based access area trips. Participants cited the following challenges (not in rank order) as posing the greatest concern to permit holders:

- **Crew conditions.** The rush to harvest as much resource as possible in the allotted days under DAS is seen as highly problematic for crew, as it leads to long hours (18+ hour days), can encourage stimulant use among crew members struggling to maintain pace, makes it difficult for older crew to continue on the job, and limits the time captains have to recruit and train mates and new crew.
- **Safety.** The long hours under DAS puts captain and crew at greater risk of injury. These problems are compounded as captains, looking to maximize total catch, may help shuck scallops rather than remain in the wheelhouse – putting the vessel at risk and creating liability concerns. New costs under the latest ABS/Coast Guard safety requirements have created additional cost barriers to replacing vessels fishing only 50 to 60 days per year. But owners are hesitant to replace older vessels that are only at-sea for a portion of the year.

- **Aging fleet.** With each vessel limited to a certain number of fishing days, owners may have little economic incentive to invest in new vessels or upgrades. Additionally, vessels spend the bulk of the year tied up at the dock, exacerbating the wear and tear associated with non-use for the bulk of the year.
- **Inefficiencies.** The requirement that permits stick to steel takes a toll on the fishery's efficiency. Crew and gear shift across boats, leading to wasted effort. The revenue by vessel is artificially low as vessels only fish for a few months out of each year. This inefficiency also has an impact on product value and cost as new technologies for product quality improvement are less likely to be adopted.

Participants cited additional challenges with the current management system, including:

- **DAS discourages vessels to search for new fishing grounds** (captains are less likely to travel greater distances or to areas with uncertain yield).
- **DAS fosters a competition mentality**, which carries over from DAS open areas to quota based access area fishing trips.
- **DAS disincentivizes bycatch reduction measures** (e.g. reluctance to use up valuable DAS time to find areas with less bycatch). The impact of not moving due to the time restraint increases the **bycatch of “choke” species** which could prematurely shut down the fishery.
- **In quota managed areas excessive high grading** can increase by-catch mortality.
- **In quota managed trips lack of consistent NMFS enforcement of quotas** can jeopardize the efficacy of the quota based management.

In general, the challenges above cut across all regions and permit holder types. Additional discussions with more permit holders could identify other challenges and could help to prioritize the issues to address.

**Key Takeaway 3: Participants suggested many possible solutions to the identified challenges but no one option was seen by all participants as a perfect fix.**

Though the port meetings focused primarily on identifying challenges associated with the current management approach, there were opportunities at each meeting to discuss potential solutions to these challenges. Participants suggested several broad solutions for consideration:

- **Stay-the-course approach.** The current management strategy is working well and there is no pressing need to change the system.
- **Stay with both DAS and managed area trips but change the rules to allow for permit stacking** (i.e. one permit holder can put up to a certain number of permits on a single boat) **or a buddy system** (i.e. two permit holders can combine permits). This approach – enabling a potential reduction in the number of vessels in the fishery – would allow permit holders to annually evaluate their business and choose a configuration that best suits their needs. Such an approach may be able to

address some of the core challenges without significantly altering a management system that the fleet knows and is comfortable with.

- **Shift to a quota-based system for all harvest.** To some, anything short of a significant revision of the current management approach may fail to address the core DAS challenges identified. To these permit holders, a shift to an all quota-based harvest is seen as a way to eliminate many of the issues they associate with DAS time management.
- **Shift to a quota-based system for all harvest and allow for the leasing or selling of quota, dissociated with a vessel** (e.g. permits would not need to stick to steel). With measures to assure NMFS quota landing enforcement and limiting of excessive high grading, this approach would address the core DAS and quota challenges identified.

A handful of more **targeted solutions were also put forward**. Some examples include:

- Increase crew limits or remove them altogether.
- Require captains to stay in the wheelhouse.
- Require 6 hours on/6 hours off shifts.
- Require bycatch avoidance program participation.

Participants had mixed opinions as to whether any changes to the management system should be voluntary (e.g. individual permit holders have the option to shift to a new management approach or stay with the existing management) or be implemented as a management change across the fishery for all limited access permit holders.

**Key Takeaway 4: Some participants see challenges that demand action while other participants feel “if it ain’t broke, don’t fix it.”**

To some participants, the identified **challenges demand action**. Consolidation of crews is occurring without the benefit of vessel efficiency. Safety and crew training considerations are significant and troubling and needed improvements to the fleet are being deferred. Given the fishery’s overall economic strength, there is a window now to make needed changes; **“I don’t want to wait until things take a turn for the worse,”** said one permit holder.

Although other permit holders see problems with the current management approach, they **question whether the conversation is “ripe enough”** without a downturn in the fishery that motivates more permit holders to engage in this discussion. Some permit holders feel that **more discussion and consideration of the potential impacts of any management change are needed**. One participant with this perspective said, **“More details have to be presented in order for me to make an educated decision.”**

Some participants are highly reluctant to move away from a system that is perceived to be providing consistent income to permit holders, crew, and shore-side businesses. **These individuals see little reason to make changes to the current system; in**

essence, **“if it ain’t broke, don’t fix it”**. They are specifically concerned that a shift away from the current management approach could potentially:

- Lead to excessive consolidation
- Increase the risk of overharvesting
- Result in lost crew jobs and/or hurt shore-side industry
- Disadvantage single permit holders in the market

**Key Takeaway 5: More discussions are needed to better understand how permit holder challenges and management concerns vary across the fishery.**

Several participants emphasized that **any change to the current management system must provide co-benefits** to the different types of permit holders in the fishery and not benefit one group only. This need to identify or create co-benefits is particularly important given the sense among some that efforts to change the current management system are an attempt by the larger players in the fishery to consolidate market power. Perspectives on the current management system may vary by permit category, geography, vessel ownership, and how many fisheries a vessel can operate in. Therefore, **more discussion is needed to better understand the range of perspectives on the current management system.**

**Key Takeaway 6: Participants are interested in holding further discussions about scallop management.**

Many participants expressed strong interest in continuing these discussions in the coming months. The discussions would need to engage more permit holders and sharpen the understanding of challenges and potential solutions. Many participants felt that the meeting structure CBI used – a mix of full group discussions coupled with small roundtable discussions and exercises to get a sense of the most pressing concerns – was effective at encouraging active participation by all attendees. The lack of formality made it easier for people to contribute to the conversation, in contrast to more formal settings such as Fishery Management Council hearings. Several people suggested future discussions use a similar approach.

**Key Takeaway 7: Permit holders have many areas of common ground on their long-term vision for the fishery.**

CBI identified the following areas where participants could find common ground during any future discussions about scallop management.

- **Resource health.** Permit holders want the resource to be healthy and sustainable for many years to come. Good science and responsible management should work in tandem to ensure this outcome. One participant said: “I don’t want to catch the last scallop.”

- **Stable market.** Management should contribute to a stable market for this product.
- **Fairness.** Any changes to the management structure need to include co-benefits for different types of permit holders. No one should have an advantage over anyone else in the fishery.
- **Limits to consolidation.** The Council should maintain limits on ownership consolidation (e.g. 5% maximum per individual ownership cap) so the fishery does not become dominated by a handful of owners. This is particularly important when there are vertically-integrated companies involved. Management should ensure family traditions of fishing can continue into the future.
- **Support network and recruitment pipeline.** The fishery should support diverse, reliable employment opportunities for crewmembers and shore-side businesses. Young people should be able to join the fishery, train on vessels, and have safe working conditions. One participant said: “A thriving economy is more important than putting more money in my pocket.”
- **Independence.** Some participants are concerned about “outside” money coming into the fishery through quota purchase arrangements that reduce the harvesters’ profits.



## RECOMMENDATIONS FOR MOVING FORWARD

CBI's conversations with limited access permit holders in early 2018 illustrated there is a good understanding of the current management system's strengths and challenges, as well as potential solutions. At the same time, the conversation is incomplete. Greater involvement is needed across all ports and permit holder types. With that in mind, CBI puts forward the following five recommendations for the benefit of all permit holders to consider:

**Recommendation 1: Broaden leadership of this effort beyond ECSHA.** The ECSHA is to be commended for launching this dialogue. However, if the broader fishery is to have greater confidence in this effort, it is imperative that the leadership guiding this discussion be more representative of the fleet itself. We recommend that a steering committee or leadership team comprising the distinct geographies and vessel ownership types be convened to guide any discussions going forward..

**Recommendation 2: Convene a second round of permit holder discussions.** This first set of port meetings was highly informative, but low attendance limited its utility. We therefore recommend that a second set of discussions be held. This report could be used as a jumping off point for these discussions, with the fleet sharpening its characterization of the core problems and continuing to brainstorm alternative solutions to address the most pressing concerns, with an eye towards developing a shared understanding of both pros and cons. We strongly recommend any follow-up dialogue continue to break into small group roundtable discussions as that structure appears to be effective at encouraging greater participation by all attendees.

**Recommendation 3: Use alternative methods to attract participation.** Given the gaps in participation in this first round of discussions, more and different methods will be needed to engage a larger number of permit holders. While port meetings may prove effective in Virginia and New Jersey, alternative efforts may be needed to engage New England-based permit holders and those individuals coast-wide holding fewer numbers of permits (e.g., fewer than 4). The exact method(s) for attracting broader participation merits further discussion. To that end, we strongly recommend this be an early focus for discussion among the steering committee/leadership team convened as part of Recommendation 1.

**Recommendation 4: Focus on sharpening problem definition.** To the extent permit holders are interested in eventually bringing this discussion to the fishery managers (e.g. NEFMC), CBI recommends any future discussions and/or summary document focus primarily on problem definition. Our sense is that permit holders are generally willing to engage productively in a discussion of problems facing the fishery. If a summary document also includes solutions, it must convey the full range of solutions, including a no-action option.

**Recommendation 5: Identify joint fact-finding needs.** There are some key data gaps associated with possible changes to the current management structure. Some data gaps that surfaced during the port meetings include:

- How might a change in management structure impact shore-side businesses?
- How have other fisheries updated their management system while addressing equity concerns?
- What is the potential impact to the resource under different management scenarios?

Though we believe it is important to stay focused in the near-term on problem definition, there are merits in pulling together a credible joint fact-finding (e.g. data collection) effort that could begin to identify the most pressing data gaps. The next round of port meetings could be used to generate a list of these gaps.

#### **A FINAL NOTE**

CBI welcomes the opportunity to support the fishery in this work and is available to answer any questions permit holders may have as they move forward with this conversation.

**APPENDIX A**

*Port meeting participants and facilitation team*

<b>Name</b>	<b>Affiliation/Vessel</b>
Peter Anthony	Nordic Fisheries
Gene Bergson	Blue Harvest Fisheries
Doug Brennan	All Lynn
Bennett Brooks	Consensus Building Institute
Jack Burke	F/V Susan Marie II
Ross Butler	Wanchese Fish Co.
Kelly Cardoso	F/V Pamela Ann, Madison Kate, Jane Elizabeth, Brittany Eryn
John Carpenter	All Lynn
Dan Cohen	Atlantic Capes Fisheries
Jeff Davis	Blue Harvest
Ron Enoksen	Nordic Fisheries
Brent Fulcher	Fulcher Trawling, LLC
Rebecca Gilbert	Consensus Building Institute
James Gutowski	Kathy Ann Corp, Thirty Fathom Fish Corp
Rick Hoff	Dock Street Seafood
Jeff Kaelin	Lund's Fisheries
Kirk Larson	Viking Village Dock
Keith Laudeman	Cold Spring Fish & Supply Co.
Chad Maguire	F/V William Lee, Grace, Ryan William
Tom McNulty	T&S Fisheries
Adam Medeiros	F/V Pamela Ann, Madison Kate, Jane Elizabeth, Brittany Eryn
Drew Minkiewicz	Fisheries Survival Fund
Cathy Nelson	B&C Scallop Co./B&C Fisheries LLC
William Nelson	B&C Scallop Co./B&C Fisheries LLC
Kenneth Ochse	F/V Christian & Alexa
Arthur Ochse	F/V Christian & Alexa
Stephen Ouellette	Attorney at Law and Proctor in Admiralty
Charlie Quinn Jr.	F/V Celtic, Challenge, Patience, Harvester, Incentive
Eric Reid	SeaFreeze Shoreside
Mary Beth Tooley	O'Hara Corp.
Bill Wells	Wells Scallop Co.
David Wiscott	F/V Susan-L

## Summary Report

### Scallop Limited Access Permit Holder Round Two Port Meetings

*Prepared by the Consensus Building Institute*

Revised to September 19, 2018

## BACKGROUND

In January 2018, the East Coast Scallop Harvest Association (ECSHA), a collection of scallop limited access permit holders, asked the Consensus Building Institute (CBI) to organize a series of discussions inviting the participation of all limited access sea scallop permit holders. CBI, a non-profit, neutral entity that specializes in helping people build shared approaches to contentious issues<sup>1</sup>, was retained to:

1. Assist limited access permit holders in identifying the strengths and challenges of the current sea scallop management system.
2. Help identify potential solutions to address the challenges identified during these discussions.
3. Provide recommendations for further engaging limited access permit holders in discussions related to scallop management.

CBI facilitated three port meetings on these topics in March 2018. The port meetings were sponsored by the East Coast Scallop Harvest Association (ECSHA) and held in Newport News, VA; Cape May, NJ; and Providence, RI. Based upon the input received during the three port meetings and CBI's subsequent Summary Report, ECSHA moved forward with the following recommendations from the Report:

- *Broadened Leadership:* ECSHA convened a larger and more diverse Steering Committee of limited access permit holders from New Bedford through North Carolina to guide future discussions. The Steering Committee's role was not to endorse any particular approach or option, but rather, to guide an effective process for constructive discussion among permit holders in the fishery.
- *Convened a Second Round of Permit Holder Discussions:* To build on initial port meetings to further explore core issues identified in the fishery and fold in the views of additional permit holders, CBI facilitated a second round of port meetings in Atlantic City, NJ; Hampton, VA; and New Bedford, MA.

In total, 28 people participated in at least one meeting during the second round of port meetings. Participants represented a range of permit categories, number of vessels/permits owned, geographies, and single and double dredge operators. During the meetings, participants identified the potential benefits and drawbacks of four different management options: status quo, permit stacking, permit leasing, and quota-based management systems. Participants also identified possible principles to guide and shape any future management options.

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<sup>1</sup> [www.cbi.org](http://www.cbi.org).

Please note that this report is not intended to be a transcript; rather, it is a synthesis of the discussions held during the second round of port meetings. This report represents only the views of the individuals who participated in these conversations and may not capture the views of all limited access scallop permit holders. Accordingly, this report should be read as a preliminary snapshot of permit holder views. This report is written for the benefit of all limited access permit holders. All errors and omissions are the sole responsibility of CBI.

## POSSIBLE PRINCIPLES TO GUIDE AND SHAPE MANAGEMENT OPTIONS

Through the discussions across all three ports, a set of potential principles emerged. These suggested principles have the potential to both guide and constrain how and in what manner any changes to the existing system are made. While agreement was not sought on these principles in total, as they emerged and evolved over the three meetings, these principles, or some form of them, do appear to be widely shared by many or most who participated.

### *Maintain Fairness and Culture*

- Do no harm: Ensure no current permit holder is worse off and the revised system improves on the existing system.
- Ensure fairness between the types of permit holders (e.g., single and multi-permit holders, permit categories) – any change needs to benefit everyone or at least not harm a particular permit class.
- Maintain the independent, active, diverse culture of the fishery, including ensuring that small and family-operated businesses continue.
- Maintain the existing limitations on ownership (the 5% rule).
- Ensure limits to consolidation of the industry both by owners and boats.
- Maintain changes within the existing number of permits, permit holders, and permit classes (i.e., quota could not be leased to a non-permit holder).
- Encourage active fishing and engaged owners if leasing is allowed (i.e., avoid having absentee permit holders or pure traders/investors).

### *Maintain Conservation*

- Maintain the same science-based conservation goals for scallops.
- Maintain the existing strong partnership of industry and scientists in co-developing quality science to guide the fishery's long-term sustainability.
- Be conservation-neutral regarding associated non-scallop permits. Any changes should not increase pressures on other fisheries.

*Increase Safety, Crew Morale, and Maintain Versatility and Flexibility*

- Increase the safety of boats, captains, and crew.
- Increase operational flexibility among and between boats, owners, and crew.
- Preserve versatility of fishing, where fishermen further south can continue to utilize multiple fisheries to balance allowances and revenues.
- Increase crew morale and quality of life onboard.

*Other*

- Contribute to a stable and successful market.
- If changes are made, ensure reasonable certainty over a meaningful period of time to allow for expected changes in “steel”.
- Address hardship for those vessels out-of-commission for lengthier periods of time (though the remedy may be separate from the management system).

**POTENTIAL BENEFITS & DRAWBACKS OF, CONSTRAINTS UPON, AND QUESTIONS ABOUT DIFFERENT MANAGEMENT OPTIONS**

From the first round of port discussions, four primary options emerged for further discussion. The options are not necessarily mutually exclusive, and they could be modified and detailed in any number of ways. The intent of this second round of conversations was not to elaborate in depth on each option nor try to reach agreement. Instead, the goal was to gain input on the pros and cons of each conceptual approach and ensure discussion among and between diverse permit holders. These options were: status quo, permit stacking, leasing, and an individual quota system.

*Please note that this report is not intended to be an independent and objective analysis of these options.* The feedback below reflects the industry participants’ range of views, hopes, and concerns regarding these various options. The concerns or hopes expressed may not necessarily come to fruition.

**Status Quo**

**Working definition:** Days At Sea (DAS) and Access Area trips are allocated to individual limited access scallop vessels. Permits remain “attached to steel” and are not stackable or leasable.

Current Benefits

- An abundant, well managed resource
- There is strong science with industry participation; it’s collaborative, effective, and ensures strong stocks
- Product quality is good
- The system is familiar

- The system is fair
- The system allows for a diversity of scale within the industry
- The system has flexibility through the DAS and Access Area options; it provides independence about when and where you fish, at least to some degree
- Closed areas and rotational areas are productive and generate good quality resource

### Potential Drawbacks

- *A competitive mindset and stress on crews*
  - Encourages a competitive – that is “racing” or “derby” – mindset
  - Stress on crew and captain (financial, physical, mental)
  - Safety may be compromised (e.g., crew members are tired from long shifts, captains may be shucking scallops in the wheelhouse and may not be as focused on radar and safety-related issues)
  - Lowered morale on DAS trips if crews are working long shifts
  - DAS has driven up efficiency to a fault. As the industry has gotten more anx’d more efficient within the existing system, there are fewer and fewer DAS.
- *An overcapitalized and somewhat under-maintained fleet*
  - Few options beyond the DAS carryover if a vessel needs significant repairs or other unexpected events occur.
  - Overcapacity (i.e., excess steel)
  - Boats sit at the dock for much of the year so owners may choose not to invest in upgrades

### **Permit Stacking**

**Working definition:** Assuming current controls (DAS and Access Area trips) + permit stacking would allow for a full-time, part-time, or occasional limited access scallop permit holder to combine permits and associated allocations onto a single platform (i.e. one permit holder can put up to a certain number of permits on a single boat). This approach would allow permit holders to annually evaluate their business and choose a configuration that best suits their needs. A similar approach could be the buddy system where two permit holders can combine permits onto a single vessel.

### Potential benefits

- *Vessel safety*
  - Cost-effective for owners of multiple vessels to upgrade selected vessels rather than try to maintain all of them
  - Would allow permits to be moved off of vessels undergoing major repairs during a year
  - Could help remove the oldest, least safe vessels from the fleet
- *Lower costs and increase the bottom line*
  - One would not have to maintain duplicate gear under stacking
  - Stacking could lower insurance costs (insuring one boat, not two) and could lower docking costs
- *Crew*

- Industry already stacks captains and crews across most vessels to some degree
- Owners could potentially recruit stable, long-term crew who are committed to and most familiar with fewer boats
- Greater certainty could allow crews to count on more stable, higher incomes
- Less stress on crew and inefficiency because crew are not transferring gear across boats
- *Impacts on different types of permit holders*
  - Single owner boats could have more time to participate in Research Set-Asides (RSAs)
  - Could help occasional and part-time permit holders if they choose to stack
  - Could help permit holders transition out of the fishery (e.g., for retirement)
- *Other potential benefits*
  - Increase available dockage space (assumes reduced steel)
  - Increased flexibility for owners
  - Could be monitored and enforced relatively easily. There would be relatively low transaction costs for managing this system since it's easier to keep track of full permits than the complexities a leasing approach might create
  - Relatively simple to put in place limits on consolidation through limited number of stacked permits
  - Transition would likely happen over many years, not all at once, allowing the industry time to adapt

#### Potential drawbacks

- *Political Choices and Industry Conflict*
  - May be contentious and divisive within the industry based on past experiences on this topic and could take time away from other threats to the industry and other industry issues
  - Amendments take time to develop, vet, refine, and approve
  - Other fishermen may be concerned about displaced effort as boats without scallop permits could potentially be utilized for other fisheries
- *Crew*
  - Could be some loss in employment
  - The stacking of DAS (versus quota or pounds) by itself would not address the negative impact on crews from the time pressures affecting crew safety, excessive hours, and age /career issues identified as problems with DAS time management.
- *Impacts and fairness on different kinds of permit holders*
  - Single owner boats may need to be more competitive to keep crew who might be attracted to stacked vessels that are potentially better maintained
  - Some may be able to increase their efficiency while others may not be able to (e.g., mobilization costs)
- *Other potential drawbacks*
  - A strong fear: permit stacking could be a road to consolidation: the beginning of a slide toward a model with few owners, large boats, and the destruction of a centuries' old way of life for families and communities



- May make it harder to buy-in to the industry (more expensive)
- Risk of absentee owners (“I’ll stack my permit and go to Florida”)
- Shore side businesses may get less business because there would be fewer total vessels
- With stacked permits or leasing, steel could be “freed up,” likely putting added pressure on other fisheries, unless effective controls are in place
- “Stacking” as a term has a negative connotation in some circles
- Concern that NMFS would choose to game the system and reduce quota even further for vessels having more than one permit<sup>2</sup>

Considerations or safeguards that would need to be put in place to make stacking potentially acceptable

- Consider limits on permits per vessel (e.g., two or some number of permits maximum on one vessel)
- Stacking should be voluntary and not required or coerced
- Consider creating a hardship provision and process for vessels in need of major repair
- Permits should be in the same class and transferred in whole, not part. The permit would need to keep its identify for this to function appropriately
- Some other issues to consider: stacking as a temporary or permanent action, and horsepower or crew limits
- Need to address “freed up steel” to ensure these boats do not add pressure to other fisheries

**Allocation Leasing**

**Working definition:** Assuming current controls (DAS and Access Area trips) + DAS and Access Area Trip permit allocation leasing would be allowed under this option for full-time, part-time, and occasional limited access scallop vessels. This activity could be annual and/or in-season. The various rights within a permit might be leased in different ways to different parties which would allow for greater combinations of trades and arrangements as compared to permit stacking (i.e., 12 days leased to one vessel and 12 remaining days to another).

Potential benefits

- Would allow more business flexibility and efficiency than the status quo or permit stacking (e.g., provides an option if repairs or other delays kept a vessel at dock)
- There could be different benefits depending on types of permit holders
  - If Limited Access/General Category vessels are allowed to lease in and out, this option could help single, occasional, and part-time boats
  - Single boats could get leases to keep crew and fish more

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<sup>2</sup> Some participants remarked that this seems unlikely given how the system currently works. NMFS sets the overall quota then allocates against the total number of permits. In this management option, the total number of permits remains the same.

- Could increase the ability of single boat owners to increase their poundage and retain crew
- For smaller scale, aging owners, this could help create a retirement income stream
- Likely to result in lower cost of entry when leasing or purchasing a portion of someone's else allocation of DAS or AA trips
- Not likely to change the overall catch
- There is an existing model of this management system in other fisheries that can provide lessons learned and avoid past pitfalls

#### Potential drawbacks

- *Crew*
  - The leasing of DAS (versus quota or pounds) by itself would not address the negative impact on crews from the time pressures affecting crew safety, excessive hours, and age /career issues identified as problems with DAS time management.
- *Costs*
  - Could lower crew pay if crew is required to bear a share of the cost of leasing or pay moves to a more employee-based (versus catch-share) approach
- *Impacts on different permit holders*
  - Big baselines could have trouble finding a DAS lease
  - Boats are not equal in open areas in terms of efficiency and effectiveness; as a result, could advantage some vessels over others
- *Absentee Owners and Outside Money*
  - Could create absentee owners: purely extractor owners of permits who are simply trading rights to receive an income.
  - Could open the floodgates to outside money, entry by new players, and irreversible transformation of the industry, where the culture of the industry and way of life could change
- *Other*
  - Increased complexity
  - With stacked permits or leasing, steel will be "freed up," which could put added pressure on other fisheries if sufficient controls are not put in place
  - May be difficult to monitor and track
  - Transition could be a challenge although there are existing models of this system

#### Considerations or safeguards that would need to be put in place

- Must have limits per vessel and owners (limit total number of DAS or limited access quota on single vessel or impose percentage per pound limits)
- Consider allowing leasing between active boats or recently fished boats only
- May need to include horsepower adjustments in the leasing calculus
- All transactions would need to be among permit holders only
- Leasing should be voluntary
- The choice to lease should be uninhibited (i.e., permit holders do not need to meet certain criteria to be allowed to lease)

- May need to adjust approach for open-bottom versus access areas
- Would need to consider limits on trades/leasing amongst classes of permits: full-time, part-time, occasional and full-time limited access permits

### Shift to a quota-based system for all harvest

**Working definition:** Under this option, the current Limited Access DAS and Access Area trips would be replaced by a fully quota-based system, allocated by managed areas with the rights granted annually in pounds for managed areas to individual permits holders. These allocations could be transferable amongst permit holders under a trade/lease or sale system

#### Potential benefits

- *Increased flexibility and efficiency*
  - Choose when and where to fish, including managing for poor weather conditions
  - Reduce need to move gear across boats
  - Captains are not restricted, can move at their own pace and shift locations if they are finding high bycatch rates
  - Coupled with some form of transferability could maximize efficiency (e.g., lost opportunity when vessels are out of commission could be partially compensated for by leasing out quota)
  - Upgrading boats doesn't necessarily lead to maximum, absolute efficiency for the vessel because the DAS "derby" approach is no longer necessary
- *Crew*
  - Reduces hours worked daily by crew, improves quality of life on board and crew working conditions by leaving behind DAS management controls
  - Could increase the number of crew on a vessel, potentially adding specialized positions, since crew limitations might not be needed under a full quota system
  - Allows more time to train mates and new crew
  - Would reduce the current competition/rush mindset over time
  - Older crew members could work more years; would retain the institutional knowledge of the fishery for longer
- *Safety*
  - Increase safety because crews and captains not on the DAS "clock"
  - Decrease pressure to use stimulants to keep apace of current DAS intensity mentality
  - Fewer, safer boats would be operating as quota moves off of steel
- *Existing regulatory structures*
  - The necessary science and methodology already exists to move to this system.
  - Have data from other fisheries on this management system – have learning experience with this management tool

- The industry is already almost there with general category permits and access areas
- Would eliminate the need for current complexities like limitations on horsepower and the number of crew and the DAS “clock”
- *Other*
  - May increase product quality
  - Could increase the value of the permits
  - Could even out market prices as permit holders can better time their fishing and their auction timing
  - Could lessen issues with individual vessel bycatch accountability (i.e. would address situations where some vessels fail to take actions to minimize bycatch, negatively impacting other permit holders)

#### Potential drawbacks

- *Cultural and Economic Transformation*
  - Could fundamentally change the industry’s culture over time – without sufficient restrictions, could reduce the number of small boats, increase consolidation, and turn some permit holders into “speculators” only through leasing
- *Impacts on different kinds of permit holders*
  - Fairness issue: difficult to not hurt some permit holders when the allocation rule is selected (e.g., history-based or an equal division or fleet average as calculated and annually projected by NMFS)
  - Could potentially lower the value of permits
- *Behaviors*
  - Could risk increasing incidence of high grading
- *Crew*
  - For those crews who currently maximize their catch, a quota-based system might decrease exceptional crews’ revenues
  - Crews might have to work more time without additional compensation
- *Other*
  - Industry could catch its full quota at potential expense of healthy stocks in some years – risk if management gets it wrong
  - Administrative costs and government fees could be an added cost
  - Currently has a bad reputation in some circles

#### Considerations or safeguards that would need to be put in place

- *Allocation will take time to figure out*
  - Any allocation has to take into the effects on the diverse permit holders. For instance, how will those with single dredges be handled? What will be the allocation to a five-man, single dredge permit holder or a seven-man, double dredge permit holder?
- *Consolidation risks will need to be addressed*
  - The system already limits consolidation with no more than 5% ownership by individual

- Need limits on pounds and use on a single platform to manage and contain consolidation
- *Long-term issues will have to be addressed:*
  - How long can a non-operating user (permit not steel) keep in operations?
  - How should an “active use” be defined?
  - How will regulatory certainty be created? These changes will result in key capital decisions – like taking steel out of water – that are mostly irrevocable.
- *Conservation implications must be addressed*
  - A quota system could drive everyone toward catching every last pound whereas the DAS measure might not. Thus, any potential conservation risks created in the new system would need to be considered and mitigated.
  - High grading may need to be addressed. High grading is said to occur under the current system in access areas. This option could extend this concern to open bottom fishing areas.

#### **Additional management ideas raised during port meetings**

The following are additional ideas suggested by some participants that would achieve similar goals as the above approaches through other means.

- **Retirement of Permits of Repeat, Major Violators.** For those boats/owners who have been found to be in gross violation of their permits terms and conditions repeatedly, the permit would be retired from the pool of permits while overall allocation of quota would remain the same based on good conservation. This would allow the numerous remaining permit holders to obtain more limited access quota or DAS. The 5% rule and other rules related to total number of permits would still be based on the current total number of permits and not the reduced number. This would increase allowable catch per law-abiding permit holders, sustain conservation, and ensure scofflaws are not financially rewarded by maintaining their economic value despite major, repeated, gross violations.
- **Industry Led (non-government) Buy-Out.** To improve the overall quality of the fleet, reduce the “steel” in the water, and increase the allowable catch among the remaining permit holders (same total catch, but fewer permit holders to divide among), the industry itself, not the government, would develop a voluntary buy-out program for willing owners. This would allow owners to have a path “out” of the fishery, such as for retirement. A number of issues would need to be sorted out including how to generate the capital, who would be eligible, and what rules or limitations would be needed to ensure the “steel” does not move to other fisheries.

**APPENDIX A**

*Port meeting participants and facilitation team*

<b>Name</b>	<b>Affiliation</b>
Peter Anthony	Nordic Fisheries
Gene Bergson	Blue Harvest
Chris Brauer	F/V Fleet Fisher
Ross Butler	Wanchese Fish Co.
Michael Camposano	Chrismar
Kelly Cardoso	F/V Pamela Ann, Madison Kate, Jane Elizabeth, Brittany Eryn
Mike Coppa	F/V Instigator
Ron Enoksen	Nordic Fisheries
Roy Enoksen	Nordic Fisheries
Patrick Field	Consensus Building Institute
Brent Fulcher	Fulcher Trawling
Rebecca Gilbert	Consensus Building Institute
James Gutowski	Kathy Ann Corp, Thirty Fathom Fish Corp
Eric Hansen	F/V Endeavor
Jeff Hodges	Seafood Scallop Co.
Anthonio Huyuh	Fisherman's Dream B, My Girl, Crystal Girl B, Capt T.
Jeff Kaelin	Lund's Fisheries
Chad Maguire	F/V William Lee, Grace, Ryan William
Joe Marshall	Rost, Nordic Fisheries
Raul Moreno	Little Tootie
Ed Mullis	BEC Seafood, Scallop A/P
Cathy Nelson	B&C Scallop Co./B&C Fisheries LLC
Thang Nguyen	Andy Two
Kenneth Ochse	Christian + Alexa
Arthur Ochse	Christian + Alexa
Stephen Ouellette	Attorney at Law and Proctor in Admiralty
Ken Roma	Virginia Lynn, Sea Dog
Mary Beth Tooley	O'Hara Corp.
Bill Wells	Wells Scallop Co.
Ken Yavoich	Flagship Group

Tom Nies, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
[tnies@nefmc.org](mailto:tnies@nefmc.org)

Date: November 1, 2018

Re: 2019 Scallop Priorities

Dear Mr. Nies:

I am writing to you as an agent for the following Limited Access scallop vessels;

Araho	606424	410192
Arcturus	1219387	410603
Friendship	623188	410269
Nashira	553032	410095
Orion	1270244	410622
Polaris	1198545	410595
Pyxis	1238915	410615
Ranger	1143738	410551
Reliance	1248728	410617
Resolution	1141511	410553
Weatherly	1153437	410588

It is my understanding that the scallop committee passed a motion to submit to the council for 2019 priorities. The intent of the motion is recommended one of the work items for 2019. Especially reference to address problems and challenges in the scallop fishery considered in the summaries submitted by CBI (submitted to the Council on September 19, 2018) indicate that some concerns identified were aging vessels, and excessive working hours per day affecting crew employment, need for flexibility, and inefficiencies in the fishery. The preferred approach would have the Council hosting two facilitated meetings in 2019, one in the Mid-Atlantic and one in New England to reach across the geographic range of the fishery; to determine a clear problem statement for the Council to consider in a future action.

Additionally, the Summaries identified some guiding principles that could provide an important starting point to build on, such as: ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

As an agent, I support the request that the Council prioritize a process to address these concerns in 2019.

Sincerely,

  
O'HARA CORP.

Cc: Dr. John Quinn, Chairman of NEFMC  
[jquinnfish@gmail.com](mailto:jquinnfish@gmail.com)

November 6, 2018

To: Mr. Tom Nies, Executive Director  
New England Fishery Management Council

Re: 2019 Scallop Priorities

Dear Mr. Nies,

I am writing to you as an owner of the following Limited Access scallop vessels:

	<u>Permit</u> #	<u>Official</u> #
<b>Amber Nicole</b>	<b>410251</b>	<b>618355</b>
<b>Andrea A</b>	<b>330907</b>	<b>1214607</b>
<b>Collin &amp; Warren III</b>	<b>330828</b>	<b>1098473</b>
<b>Determination</b>	<b>410205</b>	<b>606623</b>
<b>Hawk</b>	<b>330566</b>	<b>627357</b>
<b>John &amp; Nicholas</b>	<b>330865</b>	<b>1102517</b>
<b>Karen Nicole</b>	<b>330893</b>	<b>1192185</b>
<b>Leader</b>	<b>410239</b>	<b>617728</b>
<b>Master James</b>	<b>330898</b>	<b>1127669</b>
<b>Ocean Boy</b>	<b>330325</b>	<b>544841</b>
<b>Ocean Gold</b>	<b>330780</b>	<b>1037847</b>
<b>Ocean Pride</b>	<b>330742</b>	<b>973175</b>
<b>Ocean Princess</b>	<b>330622</b>	<b>916992</b>
<b>Ocean Prowler</b>	<b>330906</b>	<b>1120035</b>
<b>Ocean Wave</b>	<b>320130</b>	<b>280172</b>
<b>Princess Scarlett</b>	<b>410555</b>	<b>1149379</b>
<b>Stacy Lee</b>	<b>330311</b>	<b>601984</b>

It is my understanding that industry hosted port meetings in 2018 to discuss issues of concern in the fishery and further requests in 2019, the Council undertake a process to continue these discussions. The meeting's summaries by CBI (submitted to the Council on Sept. 19, 2018) indicate that some concerns identified were aging vessels, and



excessive working hours per day affecting crew employment, need for flexibility, effectiveness of rotational access area fishing, and inefficiencies in the fishery. The preferred approach would have the Council hosting two facilitated meetings in 2019, one in the Mid-Atlantic and one in New England to reach across the geographic range of the fishery; to determine a clear problem statement for the Council to consider in a future action.

Additionally, the summaries identified some guiding principles that could provide an important starting point to build on, such as ensuring fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew morale and quality of life on board.

As an owner, I support the request that the Council prioritize a process to address these concerns in 2019.

Regards,

Warren Alexander

**COONAMESSETT FARM**  
277 Hatchville Road  
East Falmouth, Massachusetts, USA 02536  
508-563-2560 FAX 508-564-5073  
[cfarm@capecod.net](mailto:cfarm@capecod.net)

November 8, 2018

Mr. Tom Nies  
50 Water Street, Mill 2  
Newburyport, MA 01950

Dear Tom,

At the last Scallop Oversight Committee meeting I commented that the 2019 scallop management priorities seem to be overly concerned with allocation (how to split the pie) and not enough with factors that can potentially significantly impact the resource (making sure you have a pie). We are entering a new era of increasing water temperatures, changing currents, ocean acidifications, and wind farms. We need to focus on resiliency to the conditions these changes may impose.

In 2019, the fishery will be highly dependent on the catch from two areas; the nematode infested mid-Atlantic and the possibly poor growth area of NLS-West. We may have more product quality issues in the mid-Atlantic, resulting in high discards, than anticipated. We may not get the growth we anticipate in NLS-West. The idea of a flex-trip is being considered and makes a lot of sense if either scenario occurs; we need to allow for maximizing catch value.

**Days at sea/Access area conversion:** I think we also need to consider the flexibility offered by letting a vessel trade an access area trip for open area DAS. The trade-off can be designed to only be beneficial if one or more access areas suffer significant unplanned mortality or growth failure, similar to what happened a few years ago in CAI due to grey meats. The fleet needs an in-season method to respond to access area failures.

**Scallop access to important habitat areas:** The highest priority needs to be given to designing an access program for the closed habitat areas of the Northern Edge. I would suggest that we do not wait for the Habitat Committee to decide on specific boundaries for habitat protection. What we should have approved ahead of time is the mechanism for fishing scallops when we do get a scallop set on the northeast portion of Georges Bank. Basically, drawing a big box around the habitats of concern and determining what level of fishing can take place when the scallop set occurs in the area. This requires calculating minimal impacts by habitat type/function using swept area, seasons, and gear designs. I suggest this approach can be developed under contract (or grant) funded by an expanded RSA concept that includes management option development.

**RSA expansion:** My understanding is that we can move more compensation pounds into the RSA program as there are enough scallops to increase the overall harvest. The current research funding is shrinking due to lower scallop prices. The existing scallop industry R&D funding (RSA) is significantly below what most other industries spend on similar activities. The RSA program is currently under review and I have voiced my opinion that it should be expanded beyond scientific research and include management concept development. Just maintaining the existing research program will require more compensation pounds.

There are other management options that need to be developed: Vessel Data Logging, Predator Control, and Scallop Transplanting.

**Vessel Data Logging:** We can greatly improve scallop management by having near real-time tow data. We have developed the technology; the question is how to pay for the systems and how to incentivize their use to provide quality data. My calculations indicate this can all be done within the existing one percent Observer Set-Aside program. We need to develop the framework measure to allow this to happen; possibly using the expanded RSA concept identified previously.

**Predator Control:** Warming waters may cause sea stars in the mid-Atlantic to move further into the existing scallop access areas, which could devastate any future scallop set. We need to prepare for this by developing the control technologies (e.g., mopping) and the framework measures such as additional set-asides to pay for the control activities. The Council may want to consider putting currently un-managed macro-benthic invertebrates under the scallop FMP (sea stars, sand dollars, crabs, whelks, etc.). These species are major scallop predators at various scallop life stages, and we need to manage them as commercial species or eco-system components to control their impacts on scallop grounds.

**Scallop Transplanting:** We recently had billions of scallops set in the deeper waters of the NLSA. We are watching these "Peter Pan" scallops die; a resource going to waste because they landed in the wrong place. This will happen again and maybe more frequently with all the oceanographic changes occurring. We need to develop the technology to move scallops and the framework management measures such as additional set-asides to pay for this activity. Simple back-of-the-envelope calculations show a \$20 million investment can yield \$200 million in landings. Again, scallop transplanting and predator control can be frameworkable measures developed and funded by set-asides.

I put the above concepts on the table for discussion purposes. I seriously think we need to get out in front of the environmental changes that will impact the scallop fishery. "Plan ahead: It wasn't raining when Noah built the ark." ~ Richard Cushing

Sincerely,

Ronald Smolowitz  
Farmer



**COONAMESSETT FARM**  
277 Hatchville Road  
East Falmouth, Massachusetts, USA 02536  
508-564-5516 FAX 508-564-5073  
cfarm@capecod.net

December 1, 1997

Mr. Jim O'Malley  
Chairman, Sea Scallop Committee  
New England Fishery Management Council  
5 Broadway  
Saugus, MA 01960

**Re: Proposed Sea Scallop FMP Research Program**

Dear Jim,

As you are well aware there are a number of short- and long-term research questions that need to be addressed for examining options related to sea scallop management. Some of these questions are:

1. What are the important scallop spawning areas for restocking the best scallop grow-out areas on Georges Bank and in Southern New England?
2. What is the size and species selectivity of commercial scallop dredges on different grounds compared to that of the NMFS sea scallop survey dredge?
3. What is the effectiveness of different measures to reduce fish by-catch by commercial scallop dredges?
4. Are there areas that routinely get good scallop sets but show poor survival? Can scallops be economically transferred from these areas to potentially good grow-out areas?
5. What would be the economic impact on a vessel fishing one eight foot dredge (with an 8-inch square mesh twine top) with a four man crew?
6. What are the habitat impacts of scallop dredging in different areas? What is the impact of otter trawling on scallop spawning and seed beds?

The above research list is far from being all inclusive but serves to show the range of critical questions that need to be addressed. The list covers subjects that need to be researched for EFH considerations, bycatch reduction, **improving scallop production**, access to groundfish closed areas, and alternative management approaches. More importantly, with a quick

review of the list it becomes highly evident that the research will require extensive involvement by industry vessels. In addition, NMFS has indicated on numerous occasions that it does not have the manpower or financial resources to conduct this type of research program.

In light of the above situation I have proposed on a number of occasions incorporating a research program framework in the Sea Scallop FMP. The existing experimental fishery program has not allowed the above research needs to be addressed in any sort of reasonable and timely fashion. Existing grant programs can not be relied upon for funding and are piecemeal. In my opinion, a research program needs to be incorporated in the FMP with a framework process for updating. The cost of the program should be borne by the resource off the top. A logical way to accomplish this may be setting aside a number of DAS to compensate vessels participating in research activities. The exact means of choosing vessels and determining compensatory DAS should be a part of the FMP. This system should replace the existing experimental fishing protocol established by NMFS as it would entail a more logical and much greater public process. The experimental fishing permit should be a standardized document just requiring signatures. I have been involved with this process enough to know that this is possible.

I hope you consider this proposal and place it on the Scallop Committee's agenda as soon as possible. I do not think we can make any progress on key issues until the above program is in place. Thank you.

Sincerely,

Ronald Smolowitz



110 Herman Melville Boulevard  
New Bedford, MA 02740  
www.freshseascallops.com  
1-866-SCALLOP (722-5567)

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Our Mission: "To Consistently Provide Quality Seafood at Competitive Prices while Promoting Sustainable Fishing Practices"

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

November 8, 2018



Re: 2019 Scallop Priorities

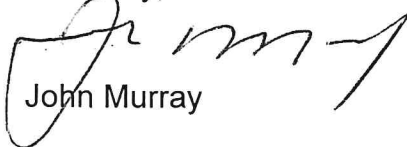
Dear Dr. Quinn:

I am writing to you as a limited access permit holder in the scallop fishery. I own and operate the F/V Fair Wind and the F/V Ann M. The scallop port meetings facilitated by the Consensus Building Institute in 2018 clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. The Council should host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for the Council to consider in a future action.

The principals identified to guide and shape management during these port meetings provide an important starting point to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectfully request that the Council prioritize a process to address these concerns.

Sincerely,

  
John Murray

JP "Halle"

**From:** Raymond Starvish [<mailto:raystarvish@gmail.com>]  
**Sent:** Saturday, November 17, 2018 6:25 PM  
**To:** Tom Nies  
**Cc:** John Quinn; Gene Bergson; Ray Starvish Jr.  
**Subject:** RE: Scallop Priorities

Dear Mr. Quinn:

In the summer of 2018, the Consensus Building Institute held a series of meeting along the East Coast. These meetings identified issues in the Scallop Fishery that the Council could build on. These issues include but not limited too fairness,do not harm diversity, limits on ownership, consolidation, conservation, safety, flexibility for vessels and crew.

We respectfully request that the council prioritize a process to address these concerns. My son, Raymond Jr. and I own and operate seven (7) fulltime limited access scallopers.

Sincerely,

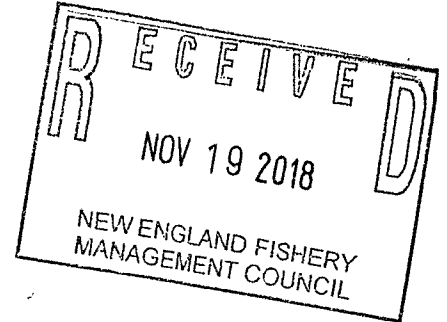
Raymond W. Starvish and Raymond Starvish, Jr.

KATE P.N. 410554  
KATE II P.N. 410561  
FLAVIAN S P.N.330799  
KELLY S P.N. 330913  
COURAGEOUS P.N. 330703  
AVENGER P.N. 410229  
MISS SHAUNA P.N. 321122

JP 11/20/18



985 OCEAN DRIVE  
CAPE MAY, NEW JERSEY 08204  
TEL. (609) 884-3000  
[www.atlanticcapes.com](http://www.atlanticcapes.com)



Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018

Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as limited access permit holders of the FV Frances M. Lee Sr. and the FV Freedom.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

Some principals identified during these port meetings are a good starting point to guide and shape management to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectfully request that the Council prioritize a process to address these concerns.

Sincerely,

Samuel A. Martin  
COO, Atlantic Capes Fisheries Inc.

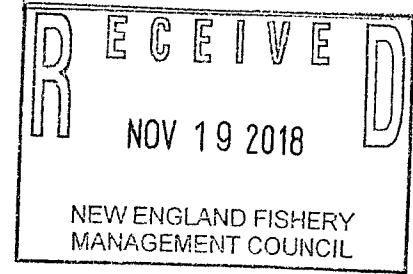
JP 11/20/18



# Edgar Safood Products Inc

31 Greene Street 5<sup>th</sup> Floor  
New York, NY 10013

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as limited access permit holders of the Atlantic Girl and the FV Capt Bob.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

Some principals identified during these port meetings are a good starting point to guide and shape management to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectively request that the Council prioritize a process to address these concerns.

Sincerely,

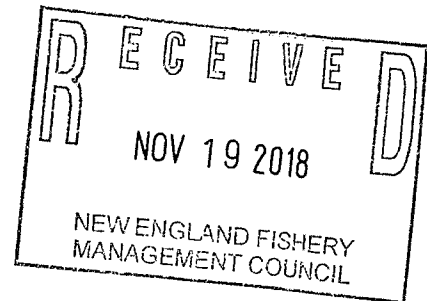
A handwritten signature in black ink, appearing to read "S. Martin".

Samuel A. Martin  
COO, Edgar Seafood Products Inc.

# FV Michelle Inc

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as limited access permit holder of the FV Tenacious.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

Some principals identified during these port meetings are a good starting point to guide and shape management to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

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Sincerely,

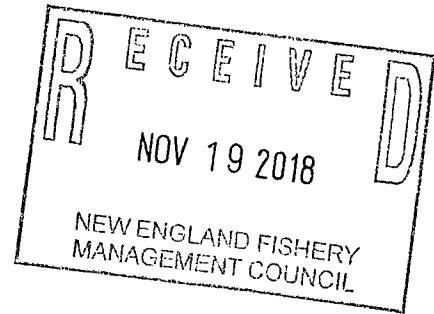
A handwritten signature in black ink, appearing to read "S. Martin".

Samuel A. Martin  
COO, FV Michelle Inc.

# FV Jersey Girl LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as limited access permit holder of the FV Jersey Girl.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

Some principals identified during these port meetings are a good starting point to guide and shape management to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectively request that the Council prioritize a process to address these concerns.

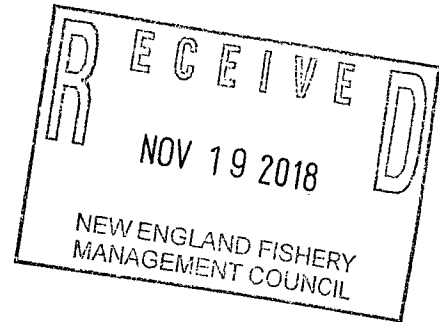
Sincerely,

Samuel A. Martin  
COO, FV Jersey Girl LLC

# FV Lady Evelyn LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as limited access permit holder of the FV Lady Evelyn.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

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The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectfully request that the Council prioritize a process to address these concerns.

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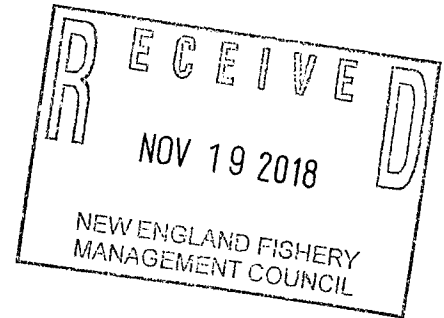
A handwritten signature in black ink, appearing to read "S. Martin".

Samuel A. Martin  
COO, FV Lady Evelyn LLC

# FV Miss Sue Ann LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as a limited access permit holder for the FV Miss Sue Ann.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

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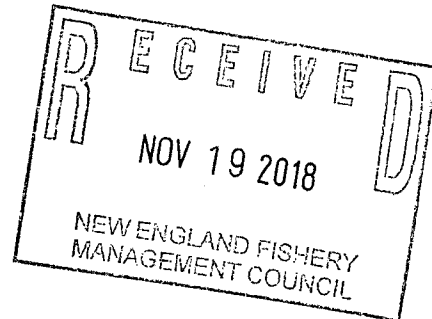
A handwritten signature in black ink, appearing to read "Samuel A. Martin".

Samuel A. Martin  
COO, FV Miss Sue Ann LLC

# FV Norreen Marie LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as a limited access permit holder for the FV Norreen Marie.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

Some principals identified during these port meetings are a good starting point to guide and shape management to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectfully request that the Council prioritize a process to address these concerns.

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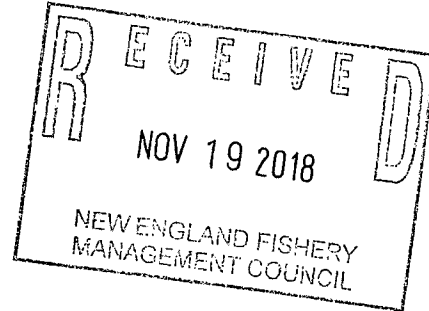
A handwritten signature in black ink, appearing to read 'Samuel A. Martin'.

Samuel A. Martin  
COO, FV Norreen Marie LLC

# FV Pontos LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as a limited access permit holder for the FV Pontos.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

Some principals identified during these port meetings are a good starting point to guide and shape management to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectfully request that the Council prioritize a process to address these concerns.

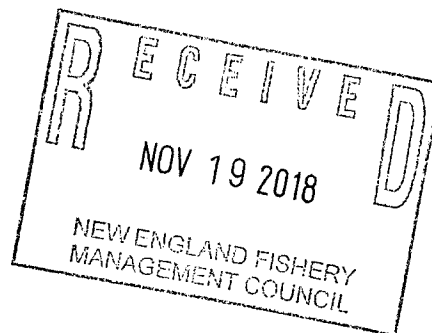
Sincerely,

Samuel A. Martin  
COO, FV Pontos LLC

# FV Silver Sea LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as a limited access permit holder for the FV Silver Sea.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

Some principals identified during these port meetings are a good starting point to guide and shape management to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectfully request that the Council prioritize a process to address these concerns.

Sincerely,

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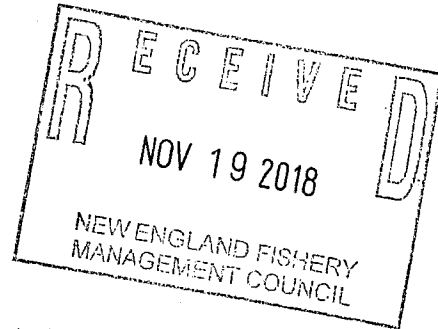
Samuel A. Martin  
COO, FV Silver Sea LLC



# FV Thunder Bay LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as a limited access permit holder for the FV Thunder Bay.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

Some principals identified during these port meetings are a good starting point to guide and shape management to build on. Some of these principals include: do no harm, ensure fairness, maintain the diverse culture of the fishery, maintain the existing limitation on ownership in the fishery, ensure limitations on consolidation, be conservation neutral, maintain strong partnerships of industry and scientists, increase safety of boats and crew, increase flexibility of vessel operations, and increase crew moral and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectfully request that the Council prioritize a process to address these concerns.

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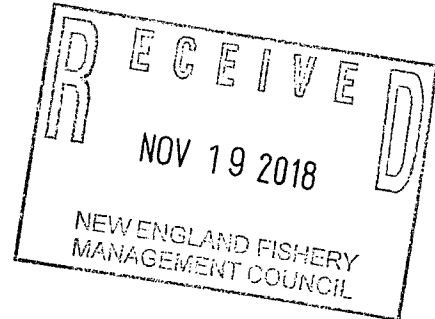
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Samuel A. Martin  
COO, FV Thunder Bay LLC

# FV Travis & Natalie LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

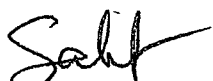
We are writing to you as a limited access permit holder for the FV Travis & Natalie.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

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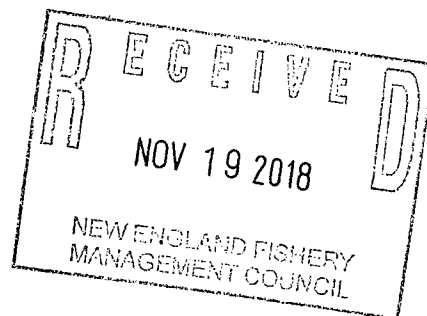
Sincerely,

  
Samuel A. Martin  
COO, FV Travis & Natalie LLC

# FV Karina LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as limited access permit holders for the FV Karina.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

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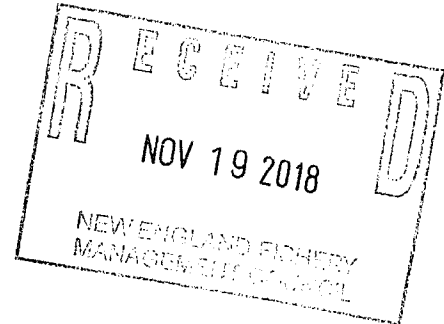
Sincerely,

Samuel A. Martin  
COO, FV Karina LLC

# FV Lady Roslyn LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as a limited access permit holder for the FV Lady Roslyn.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

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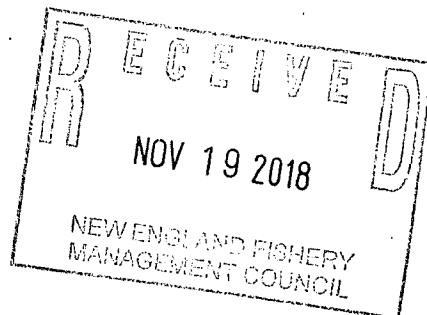
A handwritten signature in black ink, appearing to read 'Samuel A. Martin'.

Samuel A. Martin  
COO, FV Lady Roslyn LLC

# FV Lady Roslyn LLC

985 Ocean Drive  
Cape May, NJ 08204  
609-884-3000

Dr. John Quinn, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
November 6, 2018



Re: 2019 Scallop Priorities

Dear Dr. Quinn:

We are writing to you as a limited access permit holder for the FV Lady Roslyn.

The Consensus Building Institute in 2018 facilitated scallop port meetings that clearly indicate that there is a need to more fully examine the issues in the fishery within the Council process. We request the Council to host a minimum of 2 facilitated meetings in 2019, one in the Mid-Atlantic and one in New England, to identify a clear problem statement for consideration in a future action.

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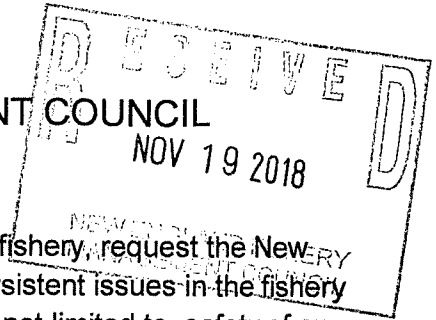
The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery have been ongoing and increasing over time. We respectfully request that the Council prioritize a process to address these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Samuel A. Martin'.

Samuel A. Martin  
COO, FV Lady Roslyn LLC

NEW ENGLAND FISHERY MANAGEMENT COUNCIL  
2019 PRIORITIES



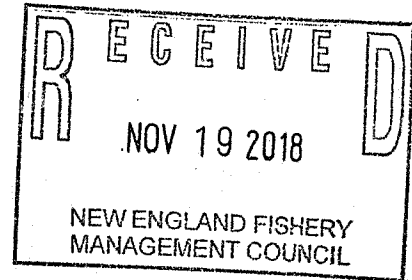
We, the undersigned participants in the limited access sea scallop fishery, request the New England Fishery Management Council prioritize addressing the persistent issues in the fishery through facilitated meetings in 2019. These issues include, but are not limited to, safety of an aging fleet, DAS time management, crew conditions – long hours and quality of life, inefficiencies in the fishery and vessels limited to 50-60 fishing days per year. In addition, we request that at least one meeting be held in the Mid-Atlantic region to allow for full access throughout the geographic range of the fishery.

Name	Vessel/Company	Address
Andrew Axelsson	STF	755 TRAMHEAD Cape May NJ
Mark Mason	STF	755 STIMPSON Lane Cape May NJ
Robert H. [Signature]	STT	901 Ferguson St. C.M.C.H. NJ
Walt Kerest		901 FERGUSON C.M.C.H. NJ
John [Signature]	STI	320 ARIZONA AVE VILLAS NJ 08251
John [Signature]	STI	329 W. 20 <sup>th</sup> Ave Wildwood NJ 08260
Will [Signature]	STI	436 BURNINGWATER RD, ERIE PA
Thomas [Signature]	ACF	102 JEFFERSON AVE, VILLAS NJ 08210
Carl [Signature]	ACF	205 ESCALON RD NJ Cape May NJ 08204
David [Signature]	ACF	104 Haverford Ave North Cape May NJ 08204
Richard W. [Signature]	ACF	410 Desoto Ave Villas NJ 08251
[Signature]	ACF	9 Holly Dr. Cape May NJ 08204
Colin Van [Signature]	ACF	1107 Delaware Ave Villas NJ 08251
Betsy Dawson	ACF	20 Southern Shore DR. Cape May NJ 08204
[Signature]	ACF	201 Tidewater Ave. Rio Grande, NJ 08210
[Signature]	ACF	290 Main St C.M.C.H. NJ 08210



November 16, 2018

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



Dear Dr. Quinn,

I am writing in support of moving the Sea Scallop Plan to a higher priority for 2019. There are many reasons for doing so; however, my request is based on one reason only – safety.

The closed area component of our fishery works well; the catch rates are high, but the crew can expand to eight men if necessary. More importantly, there is no pressure on the crew to maximize their production per day. Time is not the driving force.

In contrast, out in the open area every minute counts, and the overall operation revolves around speed. How fast can you haul back, how quickly can you shack the deck, and how many pounds can each man shuck in an hour? In most cases, even the captain and mate cut scallops and many also shack the deck. This result is significant time away from the wheel.

Additionally, we see fewer young people entering the fishery. We also see the most experienced men (captains, mates, and crewmen) unable to make open area trips because they can no longer handle the physical strain of fishing at that level of intensity. The difference between an elite captain and crew, and an average one, is how well you compete in the open area.

Many other letters will come in, mentioning reducing steel through consolidation; saving money by maintaining a smaller fleet, and easing the strain on limited dock space due to fewer boats. These arguments do have merit, in my opinion. Yet, for our family owned company; we have eight boats and all have been rebuilt or replaced within the last 14 years and we have plenty of dock space. We have addressed these concerns, the unaddressed concern is safety.

In conclusion, when Amendment 4 was implemented, the industry averaged 12 million pounds of scallops landed per year. Each boat averaged approximately 240 days in the ocean and had a nine man crew. Today, we average 50 million pounds of scallops per year, 80 days at sea, and seven men in the crew. We are well managed; the NEFMC is a large part of that. Nevertheless, the fishery has changed and as such I believe the management plan needs to change as well, so I urge you to consider raising the Sea Scallop Plan on your list of priorities.

Thank you,

Bill Wells III

JP 11/20/18



Blue Harvest Fleet • Blue Harvest Marine Services • Blue Harvest Foods

November 16, 2018

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

Re: 2019 Scallop Priorities

Dear Dr. Quinn:

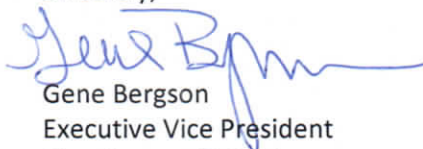
I am writing to you as a representative of Blue Harvest Fisheries, a limited access permit holder, in the scallop fishery. Blue Harvest Fisheries owns and operates 15 commercial scallop vessels, which are listed below. The 2018 scallop port meetings facilitated by the Consensus Building Institute clearly indicate that there is a strong need to more fully examine the issues in the fishery within the Council process. Blue Harvest ardently believes that the Council should host a minimum of 2 facilitated meetings in 2019 - one in the Mid-Atlantic and one in New England - to identify a clear problem statement for the Council to consider in a future action.

Blue Harvest believes that the principals identified to guide and shape management during these port meetings provide an important starting point on which to build. Some of these principals include:

- do no harm
- ensure fairness
- maintain the diverse culture of the fishery
- maintain the existing limitation on ownership in the fishery, 5% of total permits
- ensure limitations on consolidation, 2 permits per 1 vessel
- be conservation neutral
- maintain strong partnerships of industry and scientists
- increase safety of boats and crew
- increase flexibility of vessel operations, and
- increase crew morale and quality of life on board.

The Atlantic scallop fishery is one of the most valuable fisheries in the United States. The issues in the fishery listed above have been ongoing and intensifying over the last few years. Blue Harvest Fisheries respectfully requests that the Council prioritize a process to address these concerns.

Sincerely,



Gene Bergson  
Executive Vice President  
Blue Harvest Fisheries



<b>Vessel Name</b>	<b>Permit #</b>
--------------------	-----------------

F/V Blue Harvest	410219
F/V Blue Lagoon	330543
F/V Blue Stream	330578
F/V Blue Cove	330663
F/V Blue Sea	410508
F/V Blue Canyon	410177
F/V Blue Ocean	410151
F/V Blue Harbor	330378
F/V Blue Wave	410238
F/V Blue Delta	410393
F/V Blue Pacific	410145
F/V Blue North	410343
F/V Blue South	410541
F/V Blue Eastern	330720
F/V Blue Western	410346

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

11/23/2018

Re: 2019 Scallop Priorities

Dear Dr. Quinn,

We are writing to you as limited access permit holders and Federal Dealers in the scallop fishery. We attended several scallop port meetings facilitated by the Consensus Building Institute in 2018. We believe those meetings identified several challenges facing the scallop industry (aging fleet and crew, need for flexibility, and inefficiencies in the fishery). It would be beneficial for the council to host at least 2 facilitated meetings in 2019 (one in the Mid-Atlantic, one in New England) to identify a clear problem statement for the council to consider in a further action.

The port meetings held in 2018 also identified some guiding principles for the fishery moving forward. Ensuring fairness, maintaining the existing ownership cap, limits on consolidation, improved crew conditions, increased safety and commitment to industry funded science. These core principles will ensure a successful future for the scallop fishery.

The scallop fishery has been tremendously successful and addressing ongoing challenges can only benefit the entire fishery. We respectfully request the Council prioritize a process to address these concerns.

Kirk Larson




F/V CB Keane, Madelyn, Grand Larson III

Keith Larson



F/Elizabeth, Capt John, M S Many, Lori-L, Karen-L

Ernie Panacek



Viking Village Fisheries

CC - Tom Nies, NEFMC



# Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201  
703.842.0740 • 703.842.0741 (fax) • www.asmf.org

James J. Gilmore, Jr. (NY), Chair      Patrick C. Keliher (ME), Vice-Chair      Robert E. Beal, Executive Director

*Vision: Sustainably Managing Atlantic Coastal Fisheries*

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



Dear Mr. Nies,

I am writing on behalf of the Atlantic States Marine Fisheries Commission's (Commission) Atlantic Herring Management Board (Board) to request the New England Fishery Management Council (Council) consider Atlantic herring spawning protections in its 2019 priorities.

At its recent October 22nd meeting, the Board discussed ways to strengthen and expand protections provided to herring spawning aggregations. This discussion was prompted by results of the SAW 65 Stock Assessment, which indicates declines in spawning stock biomass and recruitment over the past five years, with recruitment well below the time series average since 2013. Recognizing that successful spawning is critical to the health of the herring stock and the future of the fishery, the Board initiated action to strengthen the existing spawning closure protocol in Area 1A.

During the Board's deliberations, several comments were made regarding the need for, and ability to implement, spawning protections in Georges Bank and Nantucket Shoals. Both of these areas are recognized as major spawning areas for Atlantic herring but do not have protections specific to spawning. As a result, the Board initiated a second action to consider a spawning protection program in Area 3. To support the management of herring in these areas, the Commission also agreed to dedicate research funds for increased sampling of spawning herring in the northwest corner of Georges Bank and Nantucket Shoals.

As partners in the management of Atlantic herring, the Board requests the Council consider herring spawning protection in its 2019 priorities at its December 2018 meeting. Given recent information regarding the status of the stock, the Board asserts it is critical to protect spawning aggregations in order to promote a healthy Atlantic herring resource. Further, the Board feels that collaborative efforts between the Commission and Council will yield the greatest benefit to the stock. Thank you for your consideration and please contact me with any questions.

Sincerely,

Robert E. Beal

cc: Atlantic Herring Management Board

L18-102

db 11/15/18