

From: Scallop Shack Farms <scallopshackfarms@gmail.com>

Sent: Tuesday, June 2, 2026 7:48 AM

To: Cate O'Keefe <cokeefe@nefmc.org>

Subject: Requested Regulatory Adjustment for LAGC and Mass Cap Permit Holders - StateWater Scallop Trips

Good Morning Dr. O'Keefe,

This is my second public comment. I'm going to forward the below email to Members of the Council, Committee, and Advisory Panel. My plan is to push this forward to public comment and to be on the council's agenda. Thank you for your consideration.

Dear Members of the Council, Committee, and Advisory Panel,

My name is Brady Lybarger. I have been a commercial fisherman for 27 years and have served on the Scallop Advisory Panel since 2012.

I am writing to ask the Council to look at a regulation that is creating an unfair cost for fishermen who hold both a federal LAGC scallop permit and a Massachusetts Coastal Access Permit.

Right now, if a fisherman is working inside Massachusetts state waters under a valid state permit, those scallops are still counted against his federal LAGC Permit/IFQ. The fisherman has to lease federal scallop pounds just to keep fishing in state waters under the Massachusetts 200-pound trip limit.

That does not make sense to me.

If a trip is taking place inside state waters, under a state permit, and following the state 200-pound limit, those landings should be treated as state-water landings. They should not force a fisherman to lease expensive federal quota pounds.

The cost of leasing scallop pounds has gotten extremely high. In many cases, fishermen are paying around \$6 or more per pound just for the right to land scallops they are catching in state waters. That money goes to federal quota holders, even though the fishing is being done under a state permit in state waters.

This creates another major expense for small owner-operators who are already dealing with high fuel, insurance, maintenance, and operating costs.

I am asking the Council to consider a regulatory change that would allow scallops caught during a declared Massachusetts state-water trip, under a valid Massachusetts Coastal Access Permit, to be counted only toward the state trip limit and not against federal IFQ.

This would create a cleaner separation between state and federal fisheries and would give real financial relief to fishermen who are trying to operate legally in both systems.

Thank you for your time and consideration.

Sincerely,
Brady Lybarger
Commercial Fisherman
LAGC & Massachusetts Coastal Access Permit Holder
NEFMC Scallop Advisory Panel Member

From: Scallop Shack Farms <scallopshackfarms@gmail.com>

Sent: Tuesday, June 2, 2026 7:24 AM

To: Cate O'Keefe <cokeefe@nefmc.org>

Subject: Proposed Regulatory Adjustment to LAGC Permitting During Directed Summer Flounder Trips

Good Morning Dr. O'Keefe,

I'm going to forward the below email to Members of the Council, Committee, and Advisory Panel. My plan is to push this forward to public comment and to be on the council's agenda. Thank you for your consideration.

My name is Brady Lybarger. I have been a commercial fisherman for 27 years and have served on the Scallop Advisory Panel since 2012.

I am writing to ask the Council to consider a simple change for LAGC scallop permit holders who are fishing for summer flounder.

When we are out fluke fishing, we sometimes catch scallops as true bycatch. These scallops are already in the net. Right now, if an LAGC vessel lands those scallops, even if it is only 40 pounds, those pounds come directly off our IFQ.

That does not seem right. Our IFQ is meant for directed scallop trips, not for a small amount of scallops caught while we are targeting fluke.

I am asking the Council to allow LAGC vessels to land up to 40 pounds of shucked scallops, or the in-shell equivalent, under the incidental category while on a directed summer flounder trip, without those pounds coming off the vessel's IFQ.

This would help in a few simple ways:

It would reduce waste. The scallops are already caught, and throwing them back dead does not help anyone.

It would help cover trip costs. Fuel, ice, food, bait, and crew expenses are all high, and a small incidental landing can help make a hard trip a little more workable.

It would also avoid forcing fishermen to lease expensive scallop pounds just to cover a small amount of unavoidable bycatch.

The landings would still be reported and tracked through VMS pre-landing notifications and the existing incidental scallop cap 50,000 lbs. This would not be an open-ended allowance. It would simply allow fishermen to keep a small amount of true bycatch that is already being caught.

I believe this is a common-sense change that would reduce waste, help working fishermen, and still keep accountability in place.

Thank you for your time and consideration. I respectfully ask that this issue be considered in an upcoming Framework Adjustment.

Sincerely,

Brady Lybarger
Present Commercial Fisherman, 27 Years
LAGC Permit Holder
NEFMC Scallop Advisory Panel Member, 2012–Present

From: Timothy Eilertsen <tpe62@hotmail.com>
Sent: Tuesday, June 9, 2026 4:43 PM
Subject: Agenda Structure and Deliberation Time Allocation

Dear Mr. Buckley

I am writing as a commercial scallop industry stakeholder to request consideration of a structural change to the sequencing of agendas for the Scallop Advisory Panel, Scallop Oversight Committee, and full Council meetings.

During the recent June meeting cycle, NGOM items were consistently addressed first at each level of the process. As a result, a substantial portion of prime meeting time was devoted to discussions affecting a relatively small portion of the fishery, while major Limited Access framework actions affecting the majority of scallop landings, DAS allocations, and economic activity were deferred until later in the day.

When discussions affecting a small portion of the fishery consistently occur first on meeting agendas, while discussions affecting the majority of scallop landings, DAS allocations, and economic activity are deferred until the meeting is already behind schedule, the Council risks creating the appearance that agenda order—rather than overall fishery importance—is driving the amount of deliberation each issue receives.

This concern is particularly evident when participants return from a scheduled break after an extended discussion of NGOM matters only to be informed that the meeting is behind schedule and that subsequent agenda items must be expedited. Under such circumstances, actions affecting the vast majority of the scallop

fishery receive less discussion time not because of their relative importance, but because of where they appear on the agenda.

Because this agenda structure is repeated from the Advisory Panel through the Committee and ultimately the Council, the effect is compounded throughout the management process. I respectfully request that future agendas be structured to address major Limited Access and Limited Entry framework actions earlier in the day, when participants are freshest and sufficient discussion time is available. NGOM items could then be scheduled later in the agenda without diminishing their importance or consideration.

Thank you for your time, your work on behalf of the Scallop Fishery Management Plan, and your consideration of this suggestion.

Sincerely,

Timothy P. Eilertsen
FV Discovery & FV Three Sons
FSF Member

From: Alex Todd <alextodd207@gmail.com>

Sent: Sunday, May 10, 2026 1:56 PM

To: comments <comments@nefmc.org>

Subject: NGOM enforcement

Dear Chairman Dan Salerno and Executive Director Cate O'Keefe:

I'm writing to ask that the Scallop Committee and the Enforcement Committee take up the issue of long tow times in the Northern Gulf of Maine Scallop Fishery.

I've fished for scallops since 1990, and in the NGOM for over 20 something years. it's been an important area to me. I fished there back before it was known as the NGOM, and I fished on Platts and other areas in the early years of the NGOM when the area was open all year. It's always had its ups and downs, and I was one of the fishermen who lobbied to fix management loopholes so that the next time it started to boom, we could maybe prevent it from going bust. And I'm worried that we're not headed in a good direction, because I saw a lot of boats fishing for a lot longer than they should have to get 200 pounds.

Most years on Stellwagen, I'd get the limit in 1 or 2 tows but especially in the 2025 season and some in this season I witnessed boats fishing for hours on end. Some were boats with dredges that sure appeared to be close to double the size of my eight footer. I know everyone fishes differently, and there may be occasional problems that result in longer tow times. And this year after day 3 it did take longer, but there seemed to be a whole lot of vessels fishing for hours longer than would be necessary to get 200 pounds, even if they were high grading. And that's not good for the resource or for the guys who are playing by the rules.

I know that fishing is different on Georges and in the Mid Atlantic: in those areas guys are encouraged to fish an area hard and then move on to the next one, with the idea that the area that was fished hard will recover to be fished hard again. But we set the NGOM area up because **we know the Gulf of Maine is different**. It's prone to booms and busts, and I worry that if we don't do something to stop guys from towing for hours on end, we're not going to have much of a fishery in future.

I know Government shutdowns the past two seasons have had an impact on the amount of enforcement presence available. But I didn't see these long tow times routinely before 2025. I think if you're speeding and you see a patrol car, You generally slam on the brakes. I think the same thing can be said if you plan to take more than the daily limit.

Alex Todd

F/V Jacob and Joshua

From: Paul Theriault <fvterminator@outlook.com>
Sent: Sunday, May 10, 2026 5:18 PM
To: comments <comments@nefmc.org>
Subject: NGOM

Dear Chairman Salerno, Executive Director O'Keefe and members of the Council and Enforcement Committee:

I've been scalloping in the Northern Gulf of Maine for over 40 years. I've watched the fishery evolve first hand from a 400 pound trip limit that lasted 4 or 5 months to a derby with a 200 pound trip limit that now lasts 2 weeks!! I am writing today to express my concerns about what I see as a near complete lack of at-sea enforcement. While I do see a much higher level of enforcement at the dock by the Mass Environmental Police, I don't think they can possibly police all the landing spots involved in this unique fishery. Personally I have not witnessed the USGC conduct a fisheries boarding in over 2 full seasons. When the derby opened this year we were catching our limit in two 15 minute tows with a 7 foot dredge with little to no high grading. At the same time we watched an 80 foot vessel with a heavy 10 foot dredge stay in that same area for hours!! That's not high grading!! Moving forward I hope that NMFS and the Council will give NOAA OLE and Mass DMF the resources they need to ensure that the small boats in the NGOM will continue to have a sustainable fishery well into the future.

Thank you

Paul Theriault
F/V Terminator

From: John Tripp <spindrift4481@gmail.com>

Sent: Monday, May 11, 2026 11:01 AM

To: comments <comments@nefmc.org>

Subject: Fwd: NGOM Fishery

Good morning Chairman Salerno and Executive Director O'Keefe:

My name is John Tripp, I am the owner and operator of my fishing vessel SkyAnnIra. I have participated in the fishery from the 2021 season that occurred in the SW tip of Jeffery's Bank, and then on Stellwagen in the following year.

I am writing in concerns with what the future of the NGOM fishery holds for the mid to small boat fleet from ME, NH, and MA. From what I experienced over the past few years this fishery should have lasted longer at the take rate we were allocated. I did not firsthand see any illegal fishing activity and only heard dock talk and hearsay, there were plenty of guys claiming to see large corporate vessels towing a 15' dredges, and guys talking about at sea transfers. I did not see any 15' dredges nor did I see any at sea transfers. What I did see is experienced scallop vessels and operators towing for hours on end, when less experienced, smaller vessels with smaller dredges like myself make 2-3 10 minute tows to get a limit, while high grading through product. I think if anyone wanted to dig and compare the time spent on the bank by 50+ foot vessels vs time spent on the bank by less than 50 foot vessels through VMS data an educated person could probably come to an assumption as to what activity was occurring.

The NGOM fishery could have been an excellent opportunity to run the scallop fishery differently than the southern New England fishery's. I think we could have harvested in a longer lasting way. As earlier noted I participated in high grading, picking out the biggest scallops and dumping the rest back, which I would imagine increase the mortality rate of the discarded product. This was an unnecessary practice driven by ego, greed, and shortsightedness. Had laws been in place that essentially stated you are required to harvest anything placed on deck over a set size limit, which could be area specific we would handle a lot less product, tow over it for less time, and encourage good stewardship and a more sustainable long lasting fishery.

The fishery changed noticeable after allowing vessels to land below the 42 20 line as well. There was a big change after that season, I don't know if it's because guys were dumping product off below the 42 20 where it could be harvested, or just landing extra product down there where there is very little enforcement. I had an incident this year where a local lobsterman had spoken with a lobsterman from below the 42 20 who stated he had watched scallop boats unloading bag after bag of scallops.

In Gloucester we had shoreside enforcement and they were actively monitoring the scallop fleet as they landed, which was good. As far as it goes for the guys that live below the 42 20 and that is their home port, my home port is 100 miles from Gloucester and I live aboard my vessel for the entirety of the NGOM season, so sacrifices have to be made to participate my most guys.

I would urge the Enforcement Committee to start looking into ways to keep this fishery sustainable, and keep guys honest. I believe strongly that something was occurring out there, I've heard enough reports from big boat crewmen about shady stuff happening on these larger vessels that we need a way to make sure guys are only taking their share. I think this fishery was a missed opportunity to build something that could have lasted a lot longer, and any actions that get taken now will be based on what we've learned from this recent fishery. The NGOM fishery, until the next set of scallops, is talked over now.

I strongly hope the council will at the very least look into guys towing a lot longer than needed. Compare VTR to VMS data, see if things don't add up, talk to the guys that were there and what they saw with their own catch, I will gladly provide all of my trip data that I can.

Attached is a photo of an 8 minute tow 2 days before the season ended in 2025. 8 foot drag, approx 35 baskets. My first and best tow of the season 2026 was less than half of that.

Thanks, John Tripp

From: Robert Odlin <robodlin13@gmail.com>
Sent: Monday, May 11, 2026 5:01 PM
To: comments <comments@nefmc.org>
Subject: NGOM scallop

Hello ,
I fished the NGOM Scallop Fishery since 2017.

This year the scallops were harder to come by than any other season that Stellwagon was open.

I think the 2025 season is when I started seeing the really long days by boats and thought maybe high grading.

But now I've heard that boats were maybe deck loading and translocating the scallops down below 42.20N

No proof just rumors and speculation, which I know you don't need.

But the sharp decline year over year leads me to believe something nefarious may have occurred.

Other speculation was boats would turn off their VMS and sneak into Stellwagon and make tows.

The sharp decline from 25 to 26 seems to be from excessive effort whether it was legal or not, I can't say for certain.

Robert Odlin
F/V Maria and Dorothy

From: Tad Miller <tadmiller60@gmail.com>

Sent: Monday, May 11, 2026 7:09 AM

To: comments <comments@nefmc.org>

Cc: LT Danny White <daniel.e.white@maine.gov>; SAC James Cassin <james.cassin@noaa.gov>; Togue Brawn <togue.brawn@gmail.com>

Subject: NGOM Enforcement Issues

Dear Chairman Dan Salerno and Executive Director Cate O'Keefe:

My name is Ira Miller, I am a fisherman from midcoast Maine. Most of my family and many of my friends are fishermen as well. I am writing to you now to emphasize the importance of the Northern Gulf of Maine scallop fishery represents to myself, my friends, as well as to our communities here in Maine as well as New Hampshire and Massachusetts. This current NGOM fishery was created by the Councils recognition that this area was historically an area that the "small boat fleet" harvested scallops and they had the foresight at a time when the resource was in trouble to state that the development of any management scheme took into account the fact that when the fishery came back it would be created with the small boats and communities that depend on them along the New England coast as the center piece to any management scheme that was to be developed in the future. I and others were personally involved in fishing for scallops in a small boat many years before this area was created until the stock collapsed. I and some other small boat fishermen weighed in during the process of managing this area to create the fishery as it currently exists now, that being said there is still much more work to be done to try to help to maintain this area as a productive area that will intern benefit many families and communities along the New England coast for years to come. Based on what the last few years have shown, the impact has been very significant for all that have been involved and I'm hopeful that with improved management including upgraded enforcement effort that there will be hope for the future for this important fishery area and all the communities and fishermen that have come to depend on this fishery.

I hope that the Scallop Committee and eventually the full Council will look at how this fishery has been prosecuted to date and move forward with other actions, such as area allocations to help identify areas further north that could add opportunities and add to what has already been a boon to a huge percentage of the fleet (the small daybook fleet at least) that basically had little to no access to the federal scallop fishery for many years due to the stock collapse and changing management scheme's in the federal scallop fishery. I also understand that the NGOM is on the agenda for the upcoming Enforcement Committee meeting and I feel as though this would be a good place to start making some decisions regarding what issues exist currently in the fishery and what can be done in the future to improve what's already been happening. My stepson Jamie Keizer runs my boat in the NGOM fishery. Back three to four years ago when they had longer NGOM seasons I would go to Gloucester to spell him from time to time give him a few breaks. I had already heard about the larger boats with bigger gear and so on were spending much more time on the grounds than the small boat fleet was. My experience there confirmed that notion. I could see larger vessels that were engaged in towing for scallops as I approached the fishing grounds (at 8 knots, so it gave me lots of time to observe what was going on when I came and went) and were still there towing after I had made three to four tows with a smaller drag than they were towing to get my limit of U-12 scallops towing the same area as I was working. There is no possible way that they could not have also achieved their limit as well, even if they were hydrating they would've left before me. I witnessed this same action every time I went down there. Most fishermen really don't want to say anything regarding another fishermen's possible illegal habits as at times we all potentially depend on one another. My reason for bringing this to your attention is that though many fishermen abide by the law, there's always some that don't and as far as I'm concerned the

impact of over fishing by mainly the larger boats has had a devastating effect on the fishery especially on Stellwagen Bank. The biomass that was there could've easily lasted another couple of years if the rule of law had been followed by in particular the larger boats, not to say that the smaller boats never did anything wrong either. I have many friends that work on large full-time LA boats, but I'd like to point out what I feel is a very natural philosophical difference between the small boat fleet and the larger LA fleet. Most, but not all larger vessels have no ownership ties to the boat they're fishing on and chances are that only some have a family connection to those boats. In the smaller boats the largest percentage of the boats are owner operator, or at least have a family connection to the boats owner. It's a lot easier to not do what's best for the resource and your fellow fishermen without that connection to the past and the impacts that illegal fishing present for your future. It's human nature to take better care of something that you have a personal stake in, rather than something that you may or may not continue to do in the future.

I think there is probably information out there that currently exists, be it through VMS, AIS and etcetera that could confirm or rebuff what I and others are saying by using a set of parameters of small boat versus large to determine if there's a pattern there that shows this to be true. Is it time to consider electronic monitoring to have a better understanding of how the fishery is prosecuted? That is for you to decide. No fisherman thinks that their privacy should be invaded like that and I'm one of them, but if what I suspect is deemed to be happening after proper research then so be it. If not my apologies go out to that portion of the fleet which I deem to be responsible. That being said maybe there's enough validity to these things going on to justify this or other actions. It seems that the common opinion from the people that I talk with is the problems especially on Stellwagen were exacerbated when the rule was changed to allow landing below the 42 20' line. The horse is already out of the barn on these issues and I believe that they have probably had devastating effects on the fishery already. Even if what I have observed has not been the rule, having sufficient enforcement is a cornerstone to maintaining a healthy resource. I would like to see that protecting the resource is a priority for the good of all now and into the future.

Sincerely, Ira Miller
F/V Julie Ann

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Small Boats. Big Ideas.

May 27, 2026

Dear Connor Buckley,

Thank you for the opportunity to provide written comments prior to the Scallop Advisory Panel on June 2, 2026. On behalf of the Cape Cod Commercial Fishermen's Alliance, we write in support of the identified Atlantic Sea Scallop Research Set-Aside priorities focused on scallop biology, bycatch reduction and improving fishing practices in high-density scallop areas.

The Alliance supports Priority #2, particularly research that improves our understanding of scallop recruitment processes, reproduction, spawning and yield. Continued investment in scallop biology is essential to maintaining a healthy and viable fishery, especially as environmental conditions impact the resource. Predicting recruitment in a highly dynamic sea scallop population is a major challenge, and many factors contribute to recruitment including spawning timing and variable oceanic currents on larval dispersal. Developing systems to forecast sea scallop recruitment or forecast mortality under thermal stress are important as the resource responds to rapidly changing ocean conditions.

We also support Priority #5 and the emphasis on practical methods to reduce fishing impacts on small juvenile scallops and non-target species. Research that evaluates gear modifications, fishing behavior and operation can help improve selectivity while maintaining or even increasing economic viability. We encourage research that incorporates industry participation through co-design and implementation, making sure that the results and approach is realistic and applicable for implementation by commercial fishing operations.

Finally, the Alliance strongly supports Priority #6 related to improving fishing practices in high-density scallop areas and ways to minimize waste and maximize yield. Understanding the impacts of concentrated fishing activity is important for ensuring long term sustainability and maximizing economic performance of the resource. We particularly support research that explores real-time management systems led by fishermen, designed to identify and avoid hotspot areas of scallop seed.

The scallop fishery has long demonstrated the value of collaborative research between scientists, industry and managers. Continued investment and support of these priorities will continue to advance science-based management while making sure the fishery remains sustainable and viable for fishing communities across the region. Thank you for your consideration.

Sincerely,

Aubrey Church
Fisheries Policy Director

Celebrating 30 years. Navigating 30 more.

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