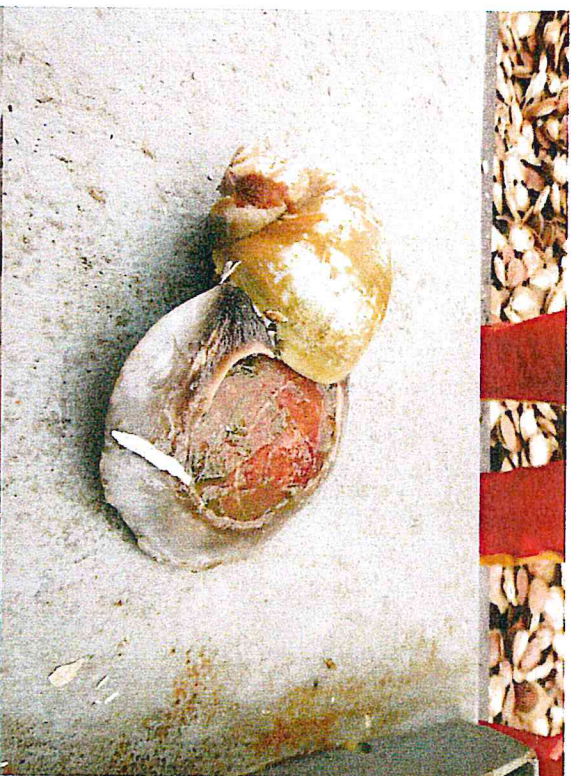
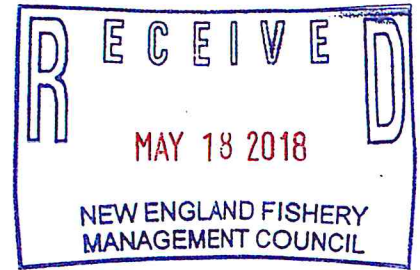


CORRESPONDENCE



CAPE COD COMMERCIAL
**FISHERMEN'S
ALLIANCE**
Small Boats. Big Ideas.



May 18, 2018

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

Subject: Pre-landing Compliance in the Northeast Scallop Fishery

Dear Chairman Quinn and Director Nies,

Thank you for the opportunity to provide input regarding non-compliance with pre-landing notifications.

This issue was introduced in a presentation during the overview of the Limited Access General Category (LAGC) 5-year program review, and discussion has continued over the past several months and meeting cycles. At the April council meeting, the council passed a motion that encouraged drafting a letter to NOAA with suggestions to enforce existing regulations, consider increasing penalties, and explore technical solutions to assist with quota compliance.

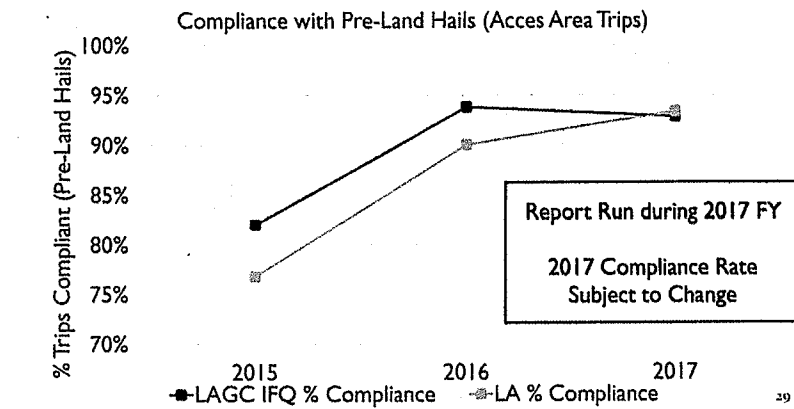
We are supportive of these issues being addressed. We believe that a select few people in the LAGC fleet are responsible for current levels of non-compliance, and additional measures to better manage the quota system and technical aspects will improve and simplify the fishery at all levels. Stiffer penalties may encourage those who are non-compliant to conform.

However, we are concerned that the motion and the discussion regarding pre-landing notifications misrepresented the context of the issue. It is important to clarify that pre-landing non-compliance rates are virtually identical between the Limited Access and LAGC fleets: the 2017 rate was approximately 7% non-compliance fleet-wide.

Let's put this into numerical perspective: Seven percent of the Gen Cat fleet's total rotational access area harvest (approximately 965,000 pounds in 2017) is about 67,000 pounds that would have been non-compliant with pre-land hails. The Limited Access fleet harvested roughly 24 million pounds from rotational access areas. Seven percent of that would have been approximately 1.6 million pounds not adhering to the pre-land hails requirement.

By every conceivable measure, Limited Access non-compliance represents a much greater impact to the resource and economy.

BOARD OF DIRECTORS Nick Muto, *Chairman* • Phil Marshall, *Vice Chairman* • Elliott Carr, *Treasurer* • Andy Baler, *Clerk*
Eric Hesse • Bruce Kaminski • Kurt Martin • William Martin • Jim Nash • Tye Vecchione • Greg Walinski



(Slide 29, April 2018 council presentation)

We encourage council staff and NOAA to continue to pursue solutions that would effectively address the issue of non-compliance at a fishery-wide level, and continue to engage all components that are participating in the Scallop FMP. The scale of this issue extends far beyond the LAGC IFQ component and we hope to encourage discussion across the board.

Thank you, and we look forward to continuing to support you in this process and at future meetings.

Regards,

Seth Rolbein
Director, Cape Cod Fisheries Trust



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

May 14, 2018

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

Mr. Timothy Donovan
Assistant Director, Enforcement
Greater Atlantic Regional Fisheries Office
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Dear Mike and Tim:

This year the Council is working to address monitoring and catch accounting in the scallop fishery. It is clear that compliance outreach and effective enforcement are necessary components of any catch accounting system. As discussion of these issues has taken place, concerns were raised that existing provisions of the management plan could be re-emphasized by NOAA Fisheries. Please consider the following Council recommendations.

On April 17, 2018 the Council passed the following motion:

Motion: that the Council send a letter to NOAA that makes the following suggestions:

- NOAA should enforce regulations that are on the books;
- Request that NOAA review penalty schedules and consider an increasing penalty schedule for VMS pre-land non-compliance;
- NOAA pursue technical solutions to assist with quota compliance (e.g.: automatic notifications, updates on quota balance when vessels go to make declarations/part of new PTNS system).

The motion carried (14-0-3).

I would like to explain each element of this motion. Over the last year there have been several scallop fishery reporting violations. While acknowledging that education and compliance assistance is an integral part of fishery enforcement, the Council also believes that the successful management of the Atlantic sea scallop fishery is enabled by fishery participants abiding by rules and regulations. Consistent with existing priorities, the Council urges NOAA Fisheries to emphasize the enforcement of reporting requirements in this fishery.

The management plan requires pre-landing notification reports using the Vessel Monitoring System (VMS) which detail the time, location, and estimated amount of a trip's landings. Failure to submit required VMS reports creates gaps in vessel trip data that can undermine the successful management of the fishery. Full compliance would provide the reliable, timely stream of data on scallop landings that is needed for quota monitoring and enforcement. Combined with our request for increased enforcement efforts, the Council requests that NOAA Fisheries review the current penalty schedule for non-compliance and consider more severe penalties for repeat violations. The Council notes that the existing schedule begins at a \$100 fine per missed notification up to \$2,500 for the first violation, and then transitions to a notice of violation and assessment (NOVA) process for second and third offenses.

In the agency's review of the current penalty schedule, the Council requests that the agency communicate how often first violations result in a fine, and how second, and third violations have been addressed through the NOVA process.

Managing quota balances is the responsibility of each LAGC IFQ permit holder. At the height of the season when vessels are sailing several times a week, it is critical that owners and captains track their quota balance. NOAA Fisheries should explore opportunities to assist their efforts by automatically notifying owners and captains when their quota balance reaches a certain level or goes negative. For example, owners and operators could be updated on their quota balance when declaring into fisheries that permit landing scallops using IFQ, or as part of a future online pre-trip notification system (PTNS 2.0) for the industry-funded observer program. The Council views this as complimentary to our earlier request (April 20, 2018 letter) that NOAA Fisheries pursue additional technical solutions to assist with quota compliance

Thank you for considering this input. Please contact me if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas A. Nies".

Thomas A. Nies
Executive Director



Greater Atlantic Region Bulletin

NOAA Fisheries, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930

For Information Contact:
Sustainable Fisheries Division
(978) 281 – 9315

www.greateratlanticfisheries.noaa.gov/

Date Issued: 5/8/2018



Atlantic Sea Scallop Fishery

Fishing Year 2018 Observer Set-Aside Compensation Rates

Effective Date: April 1, 2018

The Greater Atlantic Regional Fisheries Office and the Northeast Fisheries Science Center staff have worked together to calculate the initial observer set-aside compensation rate for fishing year 2018. These compensation rates are expected to provide sufficient compensation to offset the observer fee, while also providing sufficient observer coverage based on anticipated coverage levels needed for the start of fishing year 2018. We will retroactively apply the new observer compensation rates to any days fished with an observer on board as of April 1, 2018.

The fishing year 2018 initial compensation rates for Limited Access (LA) vessels are:

- **0.12** per Day At Sea fished (i.e., the vessel is charged 0.88 DAS for each DAS fished with an observer onboard); and
- **225 lb** per DAS or part of a DAS for access area trips in addition to the vessel's possession limit for the trip when carrying an observer.

The fishing year 2018 initial compensation rate for Limited Access General Category (LAGC) individual fishing quota (IFQ) vessels is:

- **225 lb** per trip (open and access areas) in addition to the daily possession limit when carrying an observer.

We calculated all observer compensation rates assuming a daily rate of \$700 for the observer, and used an average scallop price of \$8.85 per pound for open area trips and \$9.00 per pound for access area and LAGC trips. We estimate the compensation rates provide the following average buffer over the daily cost of the observer:

- \$2,100 per LA DAS fished; and
- \$1,300 per access area day for LA vessels and per trip for LAGC IFQ vessels assuming trips last a single day.

These excess funds are intended to account for variations in the fishery, such as lower scallop price and landings per day fished (also called landings per unit effort), without creating financial incentive to extend an observed trip.

For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Greater Atlantic Region.

For details on how we have calculated these compensation rates in the past, and our expectation of how it will impact compensation and observer coverage rates, please go to:
<https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/scallop/quotas/fy18obscomrat calculation.html>

PLEASE NOTE: These are initial rates and we may consider changing the compensation rate as we gather fishery information throughout the 2018 fishing year, such as scallop price, length of trips, scallop landings per day fished, and overall rate of observer set-aside usage. If we adjust the initial observer compensation rates mid-year, we will send another permit holder letter announcing the new rates.

If you have any questions about the observer compensation rates, please contact the Sustainable Fisheries Division at (978) 281-9315.

From: Daniel J Dunbar
Sent: Monday, May 07, 2018 3:07 PM
To: Tom Nies
Cc: comments
Subject: NGOM scallop industry ideas

Good Afternoon,

I would like to pass on a few of my ideas for NGOM scallop industry. First, I can't imagine they want all the landings from a ten microsecond square. So I propose 3 access areas ...

- 1st stellwagon bank access area with a tac to be harvested from April 1st to the 30th.
- 2nd plats bank access area with a tac to be harvested May 1st to the 31st with a 300 lb trip limit, because of the distance.

- 3rd Jeffrey's ledge/ Ipswich bay access area with a tac from June 1st to the 30th.

Last each NGOM boat receiving 20 days at sea per boat on a 24 hr clock, to be used outside the access areas with a trip limited of 150 lbs. the mission being more longevity from the fishery, but not exceeding the 500,000 lbs the pdt first recommended for biomass removal for the year for NGOM.

Thank you very much for an extremely positive upgrade from 2017 but it would be outstanding to keep moving forward and create value for the boats that lost so much.

Thank you,
Tanya McCarthy
Office Manager and/or
Daniel J Dunbar
Owner/Operator
Lees Landscaping & Irrigation
PO Box 293
Swampscott, Massachusetts 01907
Phone 781-593-4324
Newburyport Office 978-465-1957
Cell 781-389-8392m

JP, SA 5/8/18



Greater Atlantic Region Bulletin

NOAA Fisheries, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930

For Information Contact:
Sustainable Fisheries Division
(978) 281-9315

www.greateratlantic.fisheries.noaa.gov/
Date Issued: 4/30/2018

ATLANTIC SEA SCALLOP FISHERY

Closure of the Northern Gulf of Maine Scallop Management Area for Limited Access
General Category Vessels
Effective Date: May 2, 2018

The Northern Gulf of Maine (NGOM) Scallop Management Area is closed to all federally permitted Limited Access General Category (LAGC) scallop vessels effective 0001 hr, on May 2, 2018, except as exempted below. The scallop regulations require that we close this area once we project that 100 percent of the 2018 LAGC total allowable catch for this area will be taken. This closure is effective through March 31, 2019.

LAGC vessels that have declared a trip into the NGOM Scallop Management Area using the correct Vessel Monitoring System (VMS) code, and have crossed the VMS demarcation line before 0001 hr, May 2, 2018, may complete their trip and retain and land scallops caught from the NGOM Scallop Management Area. Except for vessels that have met these trip completion requirements, no LAGC scallop vessel fishing under federal scallop regulations subject to this closure may fish for, possess, or land scallops in or from the NGOM Scallop Management Area.

This closure does not apply the Limited Access (LA) fleet. The LA TAC will be harvested solely by vessels who are participating in the 2018 scallop Research Set-Aside Program and have been issued letters of authorization to conduct compensation fishing activities.

Exemption for Maine and Massachusetts Vessels Fishing Exclusively State Waters

Vessels issued a Limited Access General Category (LAGC) NGOM (LAGC B) or Individual Fishing Quota (IFQ) scallop permit (LAGC A) may continue to fish in the Maine and Massachusetts state waters portion of the NGOM Scallop Management Area under the State Waters Exemption program provided they have a valid Maine or Massachusetts state scallop permit and fish only in that states waters.

Individual Fishing Quota (IFQ) Vessel Owners Please Note: An IFQ scallop vessel must have scallop IFQ allocation to fish for scallops at any time or place. For vessels fishing under an (IFQ) scallop permit (category LAGC A), all scallop pounds landed, including scallops caught under a state waters only trip, will be deducted from the vessel's IFQ allocation.

For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Greater Atlantic Region.

JP 5/8/18



New England Fishery Management Council

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

April 20, 2018

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

Dear Mike:

The Council is working to address monitoring and catch accounting in the scallop fishery in 2018. The Council is aware that NOAA Fisheries is in the process of developing an online platform that allows for real-time transfers of quota in the Limited Access General Category IFQ scallop fishery. On April 17, 2018 the Council passed a motion by a 16-0-1 vote in support of NOAA completing and implementing real-time online quota transfers to help address the issue of LAGC IFQ vessels fishing for or possessing scallops without quota.

On February 20, 2018 the NOAA Fisheries Office of Law Enforcement sent the following message via e-mail to stakeholders under the subject line of SCALLOP IFQ ALLOCATION REMINDER:

“NMFS reminds all owners and operators of IFQ-permitted vessels that 50 CFR 648.14(i)(4) states that it is unlawful to possess or land scallops in excess of a vessel’s IFQ, or fish for scallops without IFQ. Violations may result in fines, catch seizure, and/or permit sanctions. For questions, contact OLE at 978-281-9213.”

NOAA Fisheries has 30 days to complete requested quota transfers. The time lag between when a transfer is initiated and completed can leave LAGC IFQ vessels tied to dock, and unable to prosecute the fishery. Conversely, owners and operators that participate in the fishery without quota can disadvantage compliant vessels by fishing a limited number of fleetwide access area trips, or by attempting to lease-in quota at a lower price later in the fishing year to correct a negative quota balance.

The implementation of a real-time online quota transfer system for the LAGC IFQ fishery represents a business-friendly technical solution to assist with quota compliance and ensure equity among participants. By allowing quota to move between permits instantaneously, vessels should be able to remain compliant with 50 CFR 648.14(i)(4) throughout the fishing year.

Thank you for considering this input. Please contact me if you have questions.

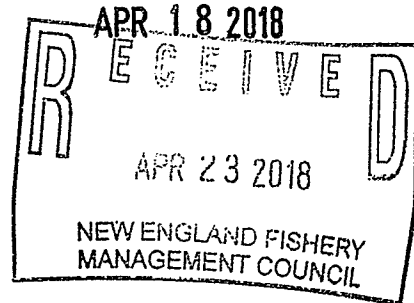
Sincerely,

A handwritten signature in black ink, appearing to read "Thomas A. Nies". The signature is written in a cursive, slightly stylized font.

Thomas A. Nies
Executive Director



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276



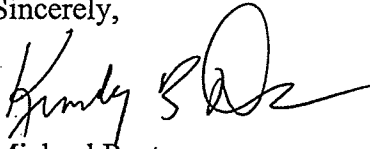
John F. Quinn, PhD
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear John:

On behalf of the Secretary of Commerce, we have approved Framework Adjustment 29 to the Atlantic Sea Scallop Fishery Management Plan. The final rule implementing Framework 29 will publish on April 19, 2018, and all measures will be effective upon publication.

This action is an example of strong collaboration between our staff, as well as members of the scallop industry. Thank you and your staff for the hard work that was put into this action. To provide the best fishing opportunity for the fleet, your staff went above and beyond what was required to accommodate the timing of our decision and implementation on the Omnibus Habitat Amendment. Please contact me if you have any questions.

Sincerely,

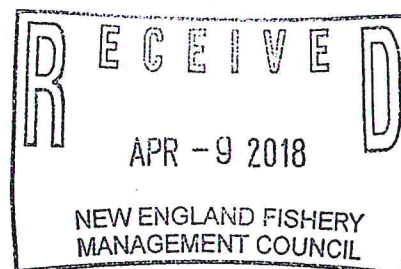

Michael Pentony
Regional Administrator

Cc: Thomas A. Nies



April 3, 2018

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



Re: LAGC IFQ Trip Limits

Dear Chairman Quinn and The New England Council:

There is a proposal that has been put forward in the 2018 Scallop Work Priorities to increase the LAGC trip limits from 600lb. to 1200lb. The maker of the motion stated that the increase was needed to cover leasing costs associated with the quota fishery. I ask the Council to vote against increasing the LAGC trip limits. This increase would change the fishery from a dayboat fishery to a trip boat fishery. This is moving far away from the original intent of this fishery as historically a dayboat fishery. There are a few large quota owners pushing for this increase when most Gen Cat fishermen do not want it. They are trying to make this fishery into something it was not intended to be.


This proposal would result in the Gen Cat boats spending longer time at sea, and with larger crews needed to process the additional scallops. Safety would be compromised by fishing harder and longer to get the trip. This type of fishing would favor larger boats over smaller ones. The additional pounds landed would also result in additional leasing fees and also possibly a per pound increase in the leasing costs. Crew wages per trip could be improved, but there will be less trips and maybe more crewman to share wages each trip. The only people that would really profit from this trip limit increase would be the ones leasing quota to the fishermen.

The real travesty with a quota fishery is the leasing of quota. All shares should be non transferable. The practice of allowing people who are not vested in the fishing industry to come in and buy quota and rent it back to fishermen is the problem. These individuals, associations, or trusts pose as the fishermen's friend, but make a business out of renting them quota so they can go fishing. Also driving the quota price higher making it unaffordable to the fisherman.

I propose a more common sense solution for these fishermen. A ban on leasing of quota in the Gen Cat fishery. The increase on returns per trip to Gen Cat fishermen would be immediate and about 25% to 50%. This would stop the predatory practice of investors buying up quota and renting it back to the fishermen. The markets would soon change and fishermen could buy their own quota at more affordable prices. This would be a better solution for the Gen Cat fleet with the ability to grow their business.

In conclusion, increasing the Gen Cat trip limit will not solve the problems that the Gen Cat fleet is experiencing concerning increasing operating costs and lower dockside prices. It will also change the nature of the fishery from a historical dayboat fishery to a trip boat fishery. There is a need to really look at the leasing regulations and the problems they are causing in this fishery. The solution to problems in the Gen Cat scallop fishery is not the trip limit, it is the ownership of quota by non fishers and the leasing of quota.

Sincerely,


Thomas Coley
Captain F/V SETTLER

CBK, dh, JP, NP, SA 4/11/18



Greater Atlantic Region Bulletin

NOAA Fisheries, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930

For Information Contact:
Sustainable Fisheries Division
(978) 281 – 9315

<http://www.greateratlantic.fisheries.noaa.gov/>
Date Issued: 3/26/2018

Scallop Vessel Owners

Historic Shipwreck Avoidance on Stellwagen Bank

Effective Immediately

In preparation for this year's Northern Gulf of Maine (NGOM) scallop fishery, NOAA Fisheries, in conjunction with NOAA Stellwagen Bank National Marine Sanctuary (Sanctuary), requests that scallopers avoid shipwreck sites in the Sanctuary by keeping gear 360 feet away from each of the site locations listed below. A chart on the back of this letter shows the area where these shipwrecks are located.

Historic and modern shipwrecks to avoid in Stellwagen Bank National Marine Sanctuary

Vessel Name	Status	LatDecDeg	Deg.min.sec	Long DecDeg	Deg.min.sec	Depth
Unknown	Historic	42.395050	42° 23' 42.1794"	-70.489420	-70° 29' 21.9114"	48.5 fathom
Heroic	Historic	42.372439	42° 22' 20.7798"	-70.370489	-70° 22' 13.7604"	16 fathom
Unknown	Historic	42.421046	42° 25' 15.765"	-70.469577	-70° 28' 10.4772"	18 fathom
Unknown	Historic	42.439221	42° 26' 21.1956"	-70.412323	-70° 24' 44.3628	47.5 fathom
Unknown	Historic	42.358948	42° 21' 32.2122"	-70.395870	-70° 23' 45.132"	46 fathom
North Star	Modern	42.383890	42° 23' 2.004"	-70.356027	-70° 21' 21.6966"	16 fathom
Patriot	Modern	42.404267	42° 24' 15.3606"	-70.453283	-70° 27' 11.8182"	16 fathom

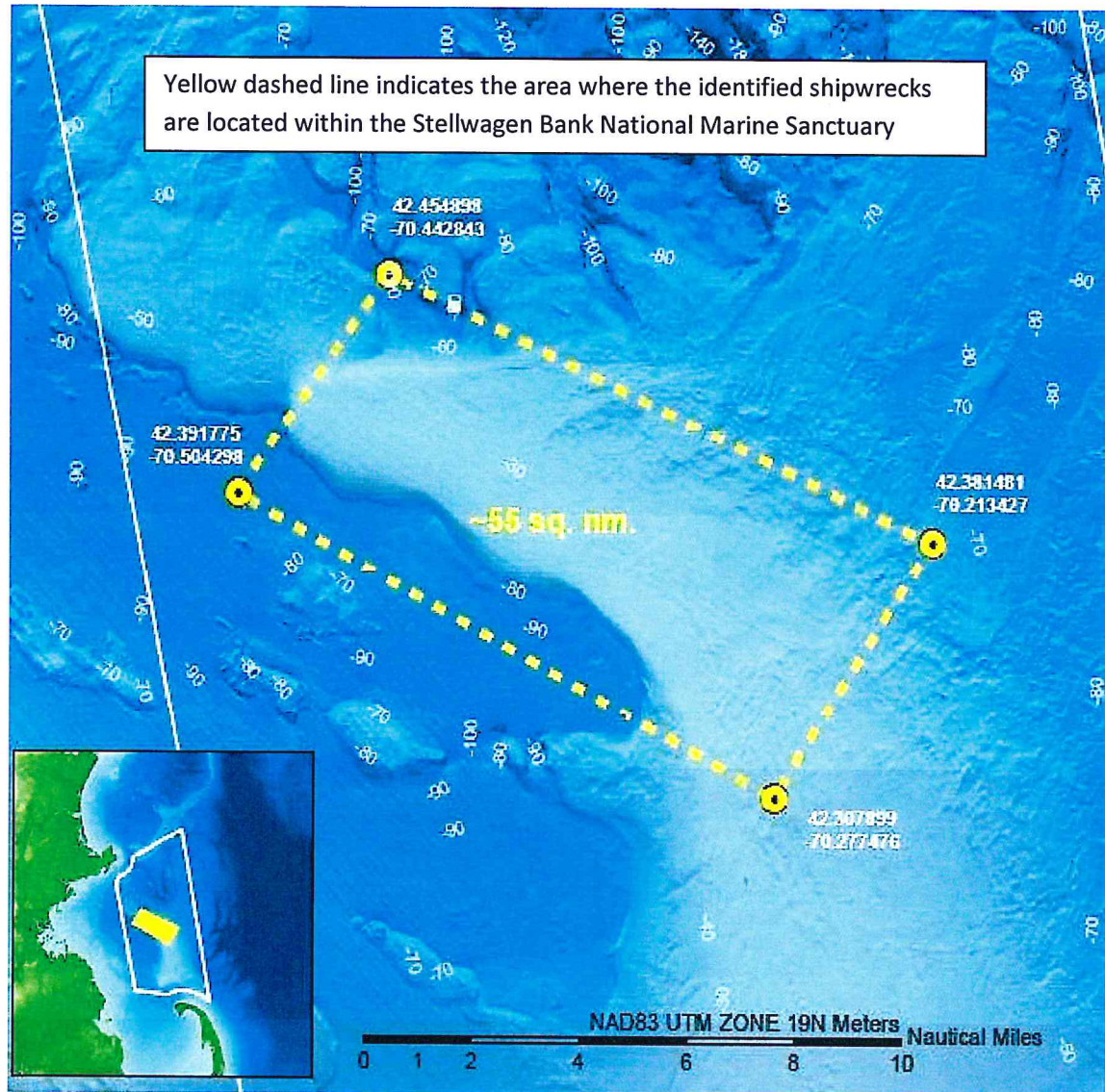
NOAA recognizes that fishermen want to avoid shipwrecks to ensure the safety of the crew and because of the risks of damaging their gear when the gear gets hung up on a wreck or other object on the ocean floor. Hanging up on a wreck also causes serious damage to shipwrecks that are important to our history. During the 2017 Northern Gulf of Maine (NGOM) scallop season, the wreck of a modern fishing vessel that was an important dive site suffered significant damage. That wreck was in close proximity to historic shipwrecks and the damage occurred in a location that experienced heavy scallop fishing. Historic shipwrecks are protected under the National Historic Preservation Act and the National Marine Sanctuaries Act and associated Federal regulations.

Please see the "Frequently Asked Questions" part of this letter on page 2 for more information.

For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Greater Atlantic Region.

<i>Frequently Asked Questions</i>	
Why are historic shipwrecks important?	<p>Shipwrecks are important for several reasons:</p> <ul style="list-style-type: none"> • Shipwrecks are one of the resources, like natural resources, protected by the Sanctuary. • They are time capsules that tell us about our past. • They can be memorial sites representing the last resting place of fishermen and sailors. • They provide habitat and refuge for a variety of marine life.
What are the regulations on historic resources in the Sanctuary?	<p>Pursuant to the Code of Federal Regulations Chapter 15 section 921.142, the act of moving, removing or injuring, or attempting to move, remove or injure, a Sanctuary historical resource is prohibited. This prohibition does not apply to moving, removing or injury resulting <u>incidentally</u> from traditional fishing operations. In addition, possession of any historic resource is prohibited. The definition of “traditional fishing operations” means those commercial and recreational fishing methods which have been conducted in the past within the Sanctuary. Other Federal regulations apply as well.</p>
How are shipwrecks regulated under the National Historic Preservation Act (NHPA)?	<p>Under the NHPA Section 106, Federal agencies are obligated to take into account the effects of their undertakings (including issuance of permits) on historic properties, including shipwrecks. Historic properties are properties that are included in the National Register of Historic Places or that meet the criteria for the National Register. As part of this consideration, agencies are required to consult with state historic preservation officers, tribes, or any other interested parties to identify and resolve (i.e., avoid, minimize, or mitigate) adverse effects.</p>
What if I inadvertently damage a wreck?	<p>The specific prohibition on injuring a Sanctuary historical resource does not apply if the damage is incidental to a traditional fishing operation (as opposed to intentional). NOAA greatly appreciates being notified of any interactions with a wreck, as it will help NOAA learn more about an unknown wreck, or to take steps to investigate and mitigate any damages caused by an inadvertent interaction with a known wreck. Please record the coordinates, the conditions, and any other pertinent information regarding such an interaction, and contact Ben Haskell, Acting Superintendent, (781) 546-6005 or ben.haskell@noaa.gov.</p>
Why is the Sanctuary concerned about protecting historic shipwrecks?	<p>The Sanctuary is home to numerous shipwrecks, reminders of this nation's maritime heritage. These shipwrecks are tangible connections to the past that allow us to study and better understand human history. The Sanctuary is required by the National Marine Sanctuaries Act and the National Historic Preservation Act to locate, assess, protect, manage, and interpret its maritime heritage resources. Shipwrecks are nonrenewable gateways to the past and it is through the interpretation of these archaeological resources that NOAA hopes to increase public enjoyment and appreciation of New England's maritime history and foster stewardship of America's maritime legacy.</p>
Where can I get more information?	<p>For information on maritime heritage management and cultural resources in the Sanctuary please see the 2010 management plan here. For information on the National Historic Preservation Act, go to their website.</p>

Chart of Area on Stellwagen Bank Where Shipwrecks are Located





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

MAR 26 2018

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



Dear John:

On behalf of the Secretary of Commerce, we have approved the Northern Gulf of Maine (NGOM) measures in Framework Adjustment 29 to the Atlantic Sea Scallop Fishery Management Plan. We are currently developing a final rule for the remaining measures in Framework 29, and we plan on having those measures in place sometime in April. The final rule implementing the NGOM measures in Framework Adjustment 29 published today, March 26, 2018, and all measures will be effective on April 1, 2018.

This action is an example of strong collaboration between our employees, as well as members of the scallop industry. Thank you and your staff for the hard work that was put into this action. Please contact me if you have any questions.

Sincerely,

Michael Pentony
Regional Administrator

Cc: Thomas A. Nies



GC Trip Limit Sept 18, 2017.do... 1 / 2

↓ ↗ ×
 RECEIVED on 3/22/18
 AT THE Committee meeting
 JPEROS

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

September 18, 2017

Dear Tom, Scallop Advisory Panel and Scallop Committee,

We are a group of Limited Access General Category scallop fishermen from around New England and the Mid-Atlantic that seek to increase the trip limit from 600 pounds to 1200 pounds per day.

Increasing the trip limit will deliver immediate benefits to the fishery while maintaining the important day-boat character of the fleet envisioned in Amendment 11 to the Scallop FMP. We expect the following benefits:

1. WProsecute the fishery more economically.
2. WAllow the Gen Cat fleet to fish profitably when ex-vessel prices drop lower (such as the 2017 FY).
3. WIncrease profit by reducing expenses like fuel and steaming time.
4. WImprove safety at sea by allowing vessels to conduct their scallop fishing trips in less days and focus on the best weather.
5. WAllow vessels to efficiently harvest their scallop quota while meat yields are optimal. Focus fishing on the months of the year when the meats are the largest and most valuable.
6. WAllows vessels to fish farther offshore to target scallops throughout the range of the fishery.
7. WImprove crew wages

We appreciate your consideration and look forward to working through the Framework process to implement a trip limit increase for FY2018.

Thank you,

Bill	Amaru	FV Sylvanna	Chatham	MA
Robert	Brewster	FV Bear, Eaglet 2, Abby & Holly	Barnegat	NJ
Jim	Brindley	FV TNT	Barnegat	NJ
Jim	Bergstrom	FV Honi Do	Chatham	MA
Wes	Brighton	FV Martha Elizabeth	Menemsha	MA
Timothy	Brindley	FV Viking Rose	Barnegat	NJ
Scott	Cornwell	FV Mary B	Chatham	MA
Dustin	Curley	FV Three Graces	Chatham	MA
Chris	Eager	FV Miss Mae & Sons	Portsmouth	NH
Jim	Elliot	FV Vengeance, Maizey James	Cape May	NJ
Patrick	Fehily	FV Major Expense	Point Pleasant	NJ
Wally	Gray	FV Lost Generation	Stonington	ME
Mike	Green	FV Gipper	Barnegat	NJ

1 of 2

Beau	Gribbin	FV Glutton	Provincetown	MA
Ben	Hogah	FV Three Graces	Chatham	MA

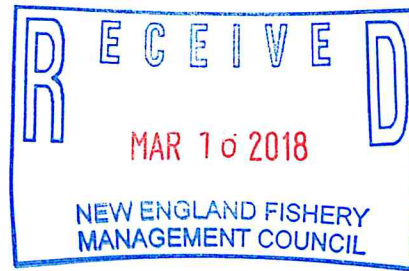
GC Trip Limit Sept 18, 2017.do... 2 / 2



Beau	Gribbin	FV Glutton	Provincetown	MA
Ben	Hogan	FV Three Graces	Chatham	MA
Sam	Hopkins	FV Endurance	Menemsha	MA
Paul	Lemieux	FV Sereno	New Bedford	MA
Sean	Mahoney	FV Mama Tried	Gloucester	MA
Matt	Mallowes	FV Profiteer	Chatham	MA
Louie	Martens	FV Leonardo	New Bedford	MA
Bob	Maxwell	Miss Halie	West Creek	NJ
Jason	Meyers	FV Miss Maddy	Barnegat	NJ
Harold	Meyers	FV Capt Travis, Jessica Heather	Atlantic City	NJ
Len	Michaud	FV Michele Jean	Sandwich	MA
Ed	Mullis	FV Virginia Wave	Newport News	VA
Bill	Mullis	FV Virginia Wave	Newport News	VA
Jeff	Murray	FV Never Enough	New Bedford	MA
Wesley	Peterson	FV 2 Sea Sons	Montauk	NY
Mike	Pratt	FV Perfect Cs	Green Harbor	MA
Bill	Reed	FV Providence	Hampton Bays	NY
Tom	Reilly	FV Three Graces	Chatham	MA
Scott	Rorro	FV Sea Hunter	Provincetown	MA
Jesse	Rose	FV Midnight Our	Chatham	MA
Chris	Scola	FV Rock & Roll III	Montauk	NY
Mike	Skarimbass	FV New Species	Montauk	NY
Mark	Smith	FV Godzilla	Harwich	MA
Tye	Vechionne	FV Bada Bing	Chatham	MA
Andy	Young	FV Gold Digger	Chatham	MA
Bill	Amaru	FV Sylvanna	Chatham	MA

March 16, 2018

Mr. Vincent Balzano
Chairman, Scallop Committee
New England Fisheries Management Council



Dear Chairman Balzano-

We are writing today to offer feedback on the Council's upcoming work regarding trip limits for the Limited Access General Category IFQ fleet (LAGC). In December, the council voted that this issue be a priority for work in the upcoming year, and we would like to emphasize that it remain so amongst the other good work of the PDT, AP, and Committee.

Out of respect for the PDT's strenuous workload, we hope to see a range of alternatives considered for daily trip limits that can be accomplished through a framework action. Note that our desire is not to jeopardize the small boat nature of the fishery, but rather adapt to conditions of the fishery in the present day.

In the decade since the LACG IFQ fishery was implemented, we have seen significant changes across the fishery. Compared to the early 1990's, landings and scallop biomass are at record highs. Rotational management of productive fishing grounds has created a relatively stable supply of scallop biomass in addition to the traditional open area fishery that many still utilize.

Despite this relative stability, many other dynamics influence a fishery. These factors were causative in the decision to increase the small-boat trip limit from 400 to 600 pounds with the implementation of Amendment 11.


In the decade since, we continued to observe changes, which prompt us to advocate that an increase should again be considered. Some of these factors include:

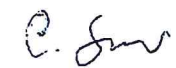
- Changing weather conditions, which make more frequent trips likely to occur in hazardous conditions, thus increasing risk of accidents at sea. Flexibility to fish in favorable weather windows to catch quota will significantly mitigate this.
- Potential to employ additional crew members; a direct benefit to communities that many small day-boats support
- Increasing fuel prices, which increase operating costs-magnified by steaming times to fishing grounds farther from port due to inshore depletion
- Desire to achieve a reduction in carbon emissions as a result of less fuel consumption

We appreciate your consideration and look forward to continuing to communicate and work with you on this important issue.

Kind Regards,


Mark Smith
F/V Godzilla II


Jesse J. Rose
F/V Midnight Our


Cameron Smith
F/V Three Sons

JP 3/22/18

