

CORRESPONDENCE

-----Original Message-----

From: James Fletcher <bamboosavefish@gmail.com>

Sent: Friday, June 12, 2020 11:39 AM

To: David Rudders <rudders@vims.edu>; Jonathon Peros <jperos@nefmc.org>; Chris Moore <cmoore@mafmc.org>; Chris Kellogg <ckellogg@nefmc.org>; Brent Fulcher <bjseafood@earthlink.net>

Subject: Small short lived scallops off VA & VA beach

UNDER EXECUTIVE ORDER :::

Can a discussion be begun to allow harvest of small short lived scallops off VA. HARVEST OF SHORT LIVED SCALLOPS would be for net vessels that currently DO NOT HAVE SEA SCALLOP PERMIT.

REASON:::: SCALLOPER'S ARE AGAINST NET SCALLOPING, SHELL STOCKING & MACHINE SHUCKING IS PROHIBITED BY CURRENT REGULATIONS.

THESE SCALLOPS COULD COM PEAT WITH CHINA SMALL SCALLOP IMPORTS. { IMPORTERS WILL OPPOSE] WOULD ALSO OFFER OPPORTUNITY FOR OCEAN RANCHING OF SMALL SCALLOP SHORT LIVED & POSSIBILITY OF HARVEST OF CALICO SCALLOPS OFF N.C. FISHING POTENTIAL FOR VESSELS HARMED BY SUMMER FLOUNDER MANAGEMENT THIS MEETS THE PRESIDENT'S EXECUTIVE ORDER TO PRODUCE MOOR SEAFOOD.

COULD BE A MID ATLANTIC COUNCIL ***** SHORT LIVED SCALLOP PLAN*** ADVISORS COULD DISCUSS *****ADVISORS WILL OPPOSE ***** COMPLIES WITH EXECUTIVE ORDER *****

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James Fletcher
United National Fisherman's Association
123 Apple Rd.
Manns Harbor, NC 27953
252-473-3287

On Thu, Jun 11, 2020, 11:27 AM PHIL TORRES <scallopcaptain1@gmail.com> wrote:

My name is Phil Torres, 25 year Captain and now vessel operations manager for Empire Fisheries in Stonington, CT.

I am curious about the protocols, if any, for moving the carryover in Lightship West to another area. After the Closed Area1 issue years ago, wasn't there any rule or procedure put in place to default the trips elsewhere if certain baselines were met. I understand that the emergency action extension has been implemented, but is there a step 2 that is a standardized procedure to avoid all of the wasted time and effort of the industry as a whole be it fisherman or council or NMFS. Of course there is also the negative impact on the area.

I would have thought that after CA1 there would have been a list of variables, that if met, would revert the trips elsewhere.

Not pointing the blame anywhere, and understanding there is only so much research data to make a hypothetical decision on the allocations, it certainly is not a fault of the fisherman and owners that these numbers can't support the trips. In the process of desperately trying to catch the allocation, we are decimating the resource and it's future by annihilating the fragile source of seed, with extensive bottom time by so many vessels, due to the depleted catchable size scallop.

Our vessels have been working to get their trips from the area since it's opening, trying at various times throughout the year, hoping for the best, but always experiencing the worst. These additional fishing days have also increase the odds of injury or mishap at sea concerning us with the increased liability factor that our company works hard to minimize.

Please let me know your thoughts, and if any default measures for this type of scenario exist as a result of CA1. It would certainly illuminate many if the questions and uncertainty that businesses have, and allow them to make more educated, conservative, and efficient decisions for planning the year.

Best Regards,

Phil Torres
Vessel Operations Manager
Empire Fisheries
Stonington, CT.



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*

June 9, 2020

Ms. Amber Lisi
Maine Dept. of Marine Resources
194 McKown Point Rd.
Boothbay Harbor, ME 04575

Dear Amber:

Meredith Mendelson has recommended you represent the Maine Department of Marine Resources on the Council's Scallop Plan Development Team (PDT). The PDT is currently supporting the Council's work on several management priorities, including the development of Amendment 21 to the Scallop FMP. The Council will also begin the process of developing specifications for the 2021/2022 fishing years later this summer. Your expertise and experience in the scientific and management process will be very valuable to the PDT.

PDT members are expected to contribute to discussion, analysis, and document preparation, often under difficult timelines. I appreciate your willingness to assist in these tasks. Further, PDTs are tasked with providing objective analyses to the Council. For this reason, PDT members are not allowed to address the Committee or Council in order to advocate for any specific Council decisions unless they are presenting a PDT position. This task is normally the responsibility of the PDT Chair.

Jonathon Peros, Scallop PDT Chair, will be contacting you shortly with more information. Feel free to contact him at your convenience by email (jperos@nefmc.org) or telephone: 978-465-0492, ext. 117.

I am pleased to appoint you to the Scallop PDT. Please contact me if you have any additional questions or concerns.

Sincerely,

Thomas A. Nies
Executive Director

cc: Meredith Mendelson, ME DMR



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

June 9, 2020

Mr. Carl Wilson
Maine Department of Marine Resources
PO Box 8
West Boothbay Harbor, ME 04575-0008

Dear Carl:

This letter is to acknowledge receipt of correspondence to our office that you will no longer be providing technical assistance to our Scallop Plan Development Team.

On behalf of the Council, I would like to thank you for your service to the management process. We appreciate your support, specifically your contribution to Amendment 21 and Framework 32. Maine DMR is an important partner in scallop fishery management.

We wish you the best in your future endeavors and look forward to working with you again.

Sincerely,

A handwritten signature in cursive script that reads "Thomas A. Nies".

Thomas A. Nies
Executive Director

cc: Patrick Keliher



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

June 9, 2020

Dear Tom,

The Maine Department of Marine Resources requests that Amber Lisi be appointed to the Scallop PDT to replace Carl Wilson, who had served in this role in an interim capacity since Mike Kersula left state service.

Amber joined the Department in November 2019. She received her Bachelor of Science in Marine Biology from the University of Rhode Island and her Master of Science in Marine Biology from the University of Massachusetts Dartmouth (UMassD) in 2018. She then worked full-time as a Technical Associate/Fisheries Research Technician for the Marine Fisheries Field Research Group at UMassD's School for Marine Science and Technology (SMAST). There, she supervised SMAST's drop camera image analysis/digitizing lab, led week-long, off-shore research cruises in cooperation with the scallop industry out of New Bedford, Massachusetts, and completed SMAST's graduate Intro to Stock Assessment course. Additionally, she has completed the 2020 ASMFC Intro Stock Assessment course. In her current role as the Department's lead scallop biologist, Amber's primary role is to organize, design, and conduct in-state scallop surveys, and analyze data for use in the management of the in-state scallop fishery.

We are confident that Amber will be a valuable and consistent contributor to the work of the Scallop PDT. Please do not hesitate to contact me if you have any questions.

Meredith Mendelson
Deputy Commissioner

Cc: Jonathan Peros

From: The Scallopers Campaign [<mailto:team@scalloperscampaign.org>]

Sent: Wednesday, May 27, 2020 2:19 PM

To: Tom Nies <tnies@nefmc.org>

Cc: Sam Asci <sasci@nefmc.org>; Jonathon Peros <jperos@nefmc.org>; Rick Robins <rick@fathomedgelimited.com>; Jeff Pike <jpike@pikeassoc.com>; Jennifer Place <jplace@pikeassoc.com>

Subject: Scallopers Campaign Letter re: Leasing within the LA fleet

Mr. Tom Neis,

Please find attached an introductory letter from the Scallopers Campaign.

We had planned on sending this information to you shortly before the June Council meeting, however, at yesterday's Scallop Advisory Panel the issue of leasing was discussed as a response to the President's Executive Order (EO) Promoting American Seafood Competitiveness and Economic Growth. Under Section 4, the Secretary of Commerce has requested a list of prioritized actions from the Councils that would reduce burdens on domestic fishing and increase production within sustainable fisheries.

The Scallop Advisory Panel's discussion on leasing as a prioritized action was quite informative in terms of how the COVID-19 pandemic has added even more urgency to the need for vessel owners to have operational flexibility. During yesterday's discussion, we heard several examples of how the pandemic has hurt scallop industry members:

- Some boats are remaining tied to the dock because owners and captains don't want to jeopardize the safety of their crews.
- Owner-operators with underlying health conditions are unable to participate in the fishery due to their own health concerns.
- Some vessels are avoiding calling on certain ports and instead making long trips back to their southern ports.
- Lastly, many vessels started the fishing year late, either due to the unavailability of crew and captains or the lack of markets.

Prior to the pandemic, the absence of a leasing program in the LA scallop fishery was already resulting in a lack of economic and operational flexibility for the fleet. The pandemic has amplified this need, and the AP recognized this with yesterday's motion #5, identifying a leasing program as a priority for action in response to the EO.

We wanted you and the Scallop Committee to know that the Scallopers Campaign supports the Council identifying an LA scallop leasing program as a prioritized action. With the administrative and technical support from NOAA (as provided for in Section 4(iii) of the EO) and considering all the work the Scallopers Campaign has already completed, we believe the Scallop AP, Committee, and Council can work together to develop a responsible LA leasing program in a timely manner.

Sincerely,

Jeffrey Pike
Rick Robins

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The Scallopers Campaign

Flexibility - Safety - Fairness

Learn More at ScallopersCampaign.org



Mr. Thomas A. Nies
Executive Director, New England Fishery Management Council
50 Water St., Mill 2
Newburyport, MA 01950

May 27, 2020

Dear Mr. Nies,

On behalf of the Scallopers Campaign, we want to update you on the efforts of limited access (LA) scallop vessel owners to encourage the Council to develop an LA leasing program in 2021.

We assembled our team last August to assist vessel owners in securing the flexibility they need to run their operations, principally by proposing a new leasing program within the LA fleet. This approach was brought before the Council last December as it was determining 2020 priorities. By that time, not only did a super majority of vessel owners support the Council moving forward with the development of a leasing program, but the Scallop Advisory Panel had voted twice – with overwhelming support – for prioritizing this initiative for 2020. While the proposal did not make it “above the line,” we were encouraged by the supportive remarks of several Council members, including the NOAA Fisheries Regional Administrator, that the discussion on leasing should occur. We believe the remarks about the Council’s need to consider leasing in the LA scallop fleet were the result of the incredible support the proposal received across the industry.

Since that time, supporting LA vessel owners have become even more committed to the development of a leasing program that will provide them the operational flexibility they need. Consequently, support for the proposal has continued to grow within the fleet. With all the economic uncertainties now facing the industry, flexibility and resilience are needed more than ever. As the number of supporters continues to grow, we have formalized this effort into the “*Scallopers Campaign*.” We have developed a website (www.scalloperscampaign.org) to inform industry colleagues and the public about the Campaign’s purposes and activities. Additionally, we recently launched an industry survey for LA vessel owners, designed to collect information to inform the development of a leasing program. We plan to share the results with the Council after the fleet responds to the survey.

We are very sensitive to the turmoil and workload the COVID-19 pandemic has created for everyone within the industry and the fisheries management community. Our team will continue to participate in the Scallop AP and Committee meetings, and we will keep you informed on our efforts. We’ve attached an updated handout that demonstrates the current support for the development of a leasing program.

Best regards,

Jeffrey Pike

Rick Robins

WANTED!

Flexibility in the Scallop Fishery

Strong Support Across the Industry for Leasing Project

A growing majority of the scallop fleet is asking for a leasing pilot project in the limited access scallop fishery. The numbers are rising every day: the fleet is asking the Council to start work on a new approach to building flexibility in the scallop fishery.

FLEET-WIDE SUPPORT

235 vessels

support the pilot project in the limited access (LA) fishery. These numbers include 45 owners operating out of 7 states.



SMALLER OPERATORS ON BOARD

More than half (62%) of supporting owners have

4 or fewer permits.

STATE BY STATE

A majority of permits in vessels home ported in

6 states

(MA, RI, CT, NJ, VA, and NC) support the pilot project.

CLASS BY CLASS

67% of the LA scallop fishery supports the project (with more joining as they hear about us), including

- 66% of full-time (FT) permit holders
- 100% of FT permits also authorized to use trawl nets
- 63% of FT small dredge permit holders
- 69% of part-time (PT) small dredge permit holders

The scallop fleet supports the initiation of an action by the New England Fishery Management Council to develop a voluntary leasing pilot demonstration project in the limited access sector that provides owners with operational flexibility, is conservation neutral, and includes measures to protect non-participants and other fisheries.