



New England Fishery Management Council

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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 that reads "Thomas A. Nies". The signature is written in a cursive style with a large initial 'T' and a distinct 'N'.

Thomas A. Nies
Executive Director