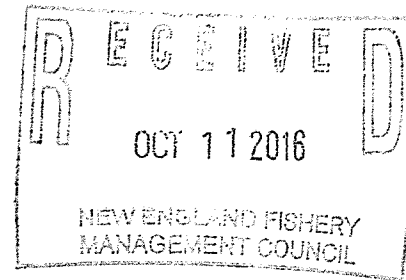


CORRESPONDENCE

October 10, 2016

New England Fisheries Management Council
Council Chairman John Quinn, Executive Director Tom Nies
Comments@nefmc.org



Dear Chairman Quinn, Director Nies and members of the Scallop Advisory Panel and Committee:

We the undersigned Northern Gulf of Maine Scallop fishermen request that you make solving inconsistencies in the NGOM a top priority in the coming year. We also request that you set the FY2017 NGOM TAC at 95,000 pounds.

The PDT suggests around 400,000 pounds of scallops could be sustainably removed from the NGOM in FY2017. Unfortunately, there's no way to limit total removals from the NGOM. The NGOM TAC is a ceiling only for IFQ and NGOM boats. NOAA Fisheries has no current means to limit what LA vessels remove from the area, nor do they have a means to accurately determine what has been removed. This is a serious problem that threatens the sustainability of the NGOM fishery and the NGOM resource. We ask you to make its correction a top priority in 2017.

In the meantime, we must choose a TAC for the 2017 fishing year. The PDT has suggested 3 options and we request that you choose the middle ground of 95,000 pounds. As fishermen, it is unusual request a TAC be set *lower* than the highest level the PDT thinks is sustainable. We'd like to be able to set the TAC at the highest sustainable level. But we can't do that until dangerous inconsistencies are corrected.

The NGOM was created because "the Council considered local access to the scallop resource by small vessels important to the continuation of fishing communities in Maine New Hampshire and Massachusetts" *Amendment 11 preamble*. If managed properly the NGOM could provide consistent, sustainable fishing opportunities for boats throughout northern New England. For that to happen, the Council **MUST** make correction of NGOM inconsistencies a priority in 2017. In the meantime, we believe a TAC of 95,000 strikes an appropriate balance between fishing opportunities in 2017 and years beyond. After last year's overage is deducted, that will put the effective TAC at around 75,000 pounds, which is roughly where it was last year. We'll keep our fingers crossed we can catch that TAC quickly so overall removals won't be higher than they were last year. And hopefully we won't need to rely on crossed fingers too much longer. Thank you.

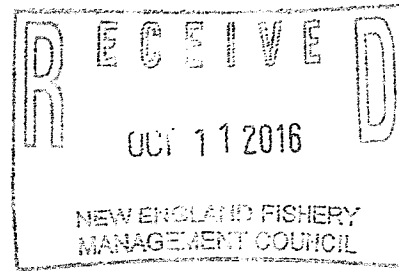
Respectfully,

Kristan Porter F/V Brandon Jay Permit#150227
Alex Todd F/V Jacob and Joshua Permit#242848
James Wotton F/V Overkill Permit#151564
Robert Odlin F/V Maria and Dorothy Permit#250527
Joe Nickerson F/V Hayley Ann Permit#221740
James West F/V First Impression II Permit#151983
Joshua Trundy F/V Permit#151879
Walter Jessiman, F/V Dream Catcher Permit#149896
Kenneth Hunt, F/V Michelle & Lexi Permit#232055

Ben Crocker F/V Clean Sweep Permit#148781
Dana Hammond F/V Nicole Leigh Permit#250716
Justin Libby F/V Capt'n Lee Permit#242567
Willis Spear F/V Old Speck Permit#151587
Thomas Butler F/V Erica Jade Permit#241554
Christopher Moore F/V Lori and Tammy Permit#250988
Mike Love F/V Titan Permit#330774
William Anderson F/V Eleanor Kathryn III 251772



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October 10, 2016

Dear Chairman Quinn, Executive Director Nies and members of the Scallop Advisory Panel and Scallop Committee:

I am writing to ask you to make correction of NGOM management problems a top priority in 2017.

The NGOM was established in recognition of the fact that the area experiences wide fluctuations in abundance. The last time it "boomed" was over 20 years ago. We've learned a lot about scallop management in the past 20 years and we have the capability to prevent booms from going bust. It is therefore truly frustrating to be in the position we're in right now. It is irresponsible to claim the NGOM is protected by a conservative daily limit, a dredge size limit and a TAC *if none of those measures apply to the category of vessels with the greatest fishing power.*

The NGOM was created so small to mid sized vessels that had historically fished the area could continue to do so if and when the resource recovered. With appropriate management the recent bloom in the southern portion of the NGOM might have generated a long-term sustainable fishery. But that didn't happen.

Corrections to NGOM management problems are long overdue. I urge you to ensure they're prioritized in 2017.

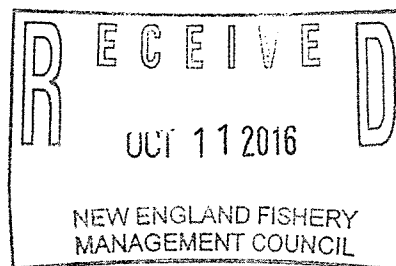
In terms of the NGOM TAC, I am worried about the potential consequences of increasing the TAC prior to closing the loopholes that threaten the viability of the NGOM scallop resource and fishery. But the majority of the fishermen I work with support the 95,000 pound option. Although some preferred the status quo and some preferred the higher option, they were able to compromise on the middle ground, and I support their choice. I hope you will support it as well. Thank you.

Yours truly,

Togue Brawn

Sherie Goutier

From: Julie Miller <jamiller54@roadrunner.com>
Sent: Monday, October 10, 2016 6:28 PM
To: comments
Cc: ben Martens; Togue Brawn
Subject: Input regarding NGOM scallop fishery



Dear

Chairman Quinn, Director Nies and members of the Scallop Advisory Panel and Committee:

I am a fisherman who participates in the Northern Gulf of Maine Scallop fishery . I am writing to you to strongly urge you to solve the inconsistencies that currently exist the NGOM fisheries management plan as it stands now by making it a top priority in the coming year. In keeping with that sentiment I also request that the Council set the FY 2017 NGOM TAC at the most conservative number of 70,000 pounds.

My rationale for requesting the lowest number available is based on the fact that currently there is no way to manage how much product can be removed by the Limited Access Fleet, other than the trigger mechanism of the TAC being reached by the IFQ / NGOM fleet. I understand that the PDT suggests that 400,000#'s of scallops could be sustainably harvested from the entire NGOM. But based on my observations I would expect most of the harvest would come from a small portion the management area which has historically been one of the most productive areas in the NGOM, which could have a negative impact on the rest of the NGOM management area. Not to mention that no one can predict with reasonable certainty what total removal would be under any of the quota scenario's as put forth as there are many variables that could impact harvest beyond the control of management to respond to. This could not be considered sound management and that is the biggest reason that I cannot support a larger quota as much as I would like to. I feel that because of the current management situation we may have squandered a golden opportunity to revive this portion of the fishery that has been missing for so many years already. So I suggest we be as conservative as allowable under the current system, in hopes that we can do a better job in the immediate future which will benefit all the user groups involved as we strive to a sustainable fishery for hopefully years to come. I believe this is the right approach as I was personally involved in this fishery many years ago when it collapsed and it's taken thirty years or thereabout to give us another chance at trying to do a better job. In my opinion any short term gain can easily be negated (and may have already been) if we keep looking at short term gains.

Sincerely, Ira Miller

F/V Julie Ann

Tenants Harbor, Maine

Permit

231459

Cape Cod Commercial Fishermen's Alliance Bycatch Avoidance Program

Interim Report
26 September 2016

Principle Investigator: Steve Cadrin Ph.D.
Co-Investigator: Brooke Wright
Address: School for Marine Science and Technology
University of Massachusetts Dartmouth
200 Mill Road Suite 325
Fairhaven, MA 02719

Objectives

The objective of the SMAST Bycatch Avoidance System is to provide the scallop fleet with near-real time, spatially-specific information on bycatch rates to assist the fleet in maximizing scallop harvest while avoiding bycatch hotspots. The system relies on fishery-dependent data sent from active vessels including the location and amount of fishing effort, as well as the amount of target and non-target catch. The goal of the project was to include the General Category fleet in the avoidance system and collect additional data on scallop discarding to address concerns of potential high grading.

Methods

We analyzed existing sources of information on the spatial distribution and catch rates of scallops and bycatch species. We established seasonal yellowtail and windowpane flounder bycatch thresholds based on past results of the SMAST Bycatch Avoidance System, past observer bycatch information, and the allocations of scallops, yellowtail and windowpane flounder to the scallop fleet in 2016. We sent a series of informational mailings to the scallop fleet in 2016 with instructions on how to participate in the program and the reporting grid for the Nantucket Lightship access area (Figure 1). We worked with members of the Cape Cod Commercial Fishermen's Alliance (CCCFA) to develop reporting protocols that were amenable to General Category fishermen.

Tasks achieved

We received approximately 205 reports from 18 General Category vessels between 5 May and 17 June 2016 in the Nantucket Lightship access area. Reports were received as a combination of Boatrac reporting macro entries and paper records compiled by CCCFA staff. Three advisories were sent to the fleet via email and posted to the SMAST bycatch website (www.umassd.edu/smast/bycatch) in early June. The majority of fishing effort was reported in the northern part of the access area. General Category vessels used approximately 68% of allocated Nantucket Lightship Access Area trips in May, and completed all trips by mid-June (Figure 2). Overall flatfish bycatch reports were very low, averaging less than 10% of the established threshold for high advisories. There were no reports of the smallest size category of scallops (20-30 count) and a trend in decreasing 10-20 count and increasing U-12 count scallops beginning in late May and lasting through the area closure on 16 June (Figure 3). Following the close of the fishery, Northeast Fishery Observer Program (NEFOP) records from 30 trips were examined for

consistency with fishermen's reports. Length frequency of kept and discarded scallops on observed trips supported the low rate of catch and discards of small scallops from fishermen's reports (Figure 4). Flatfish bycatch rates were also similar (Table 1).

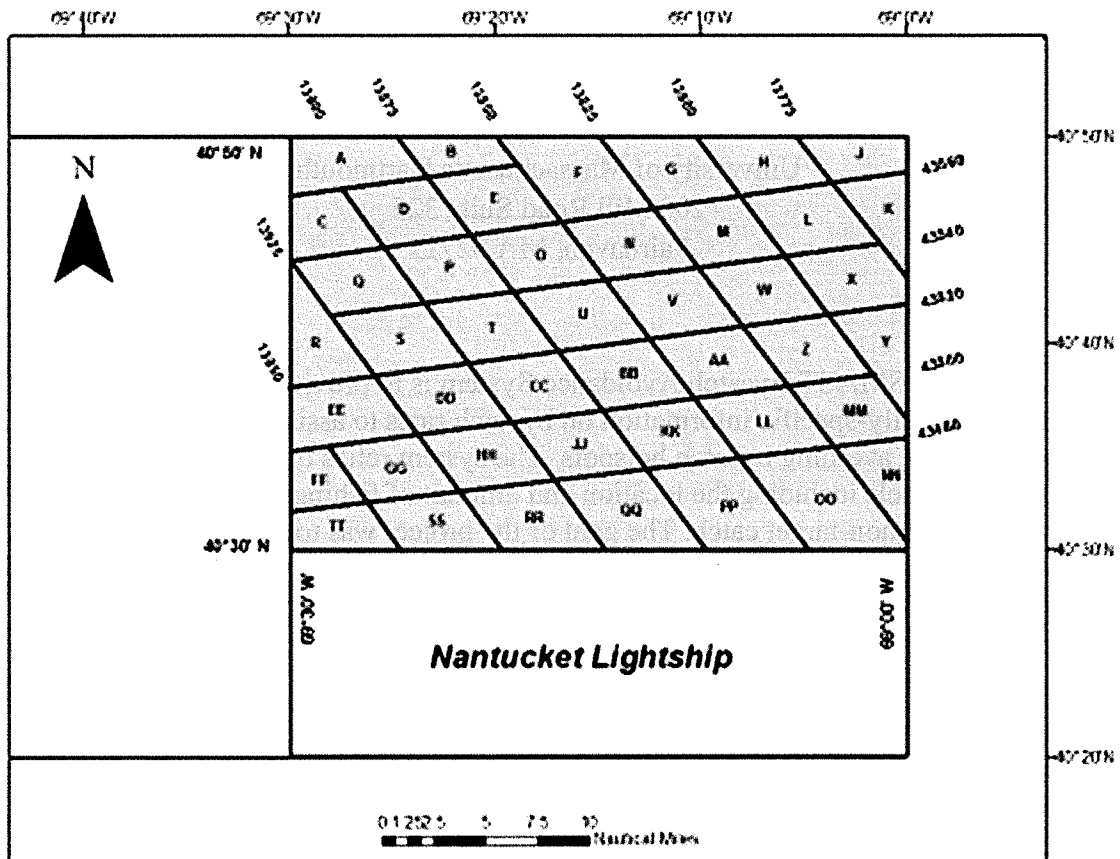


Figure 1. Reporting grid for the Nantucket Lightship access area for the 2016 fishing year.

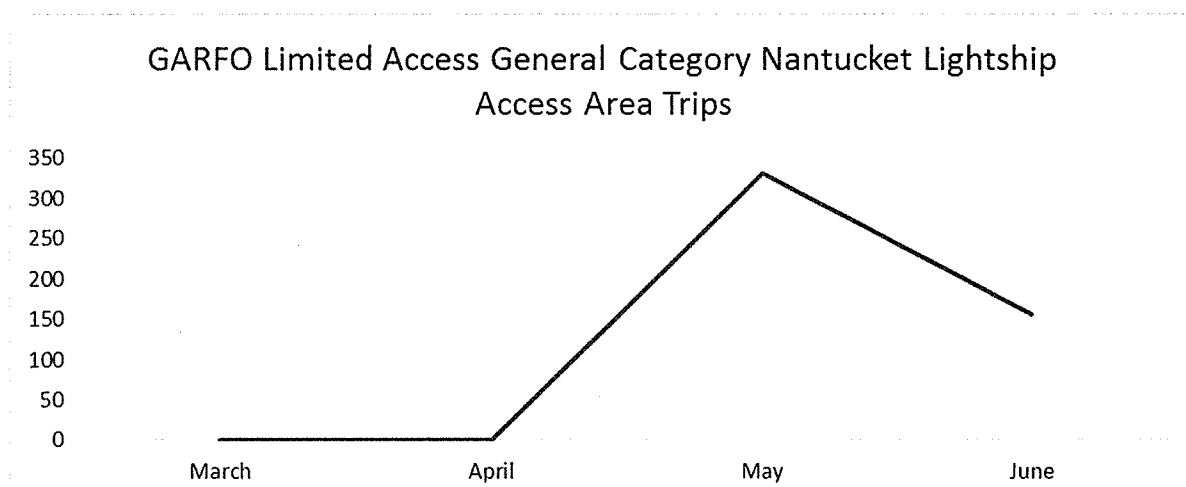


Figure 2. Limited Access General Category Nantucket Lightship Access Area Trips for fishing year 2016 (accessed from <http://www.greateratlantic.fisheries.noaa.gov> on 22 September 2016).

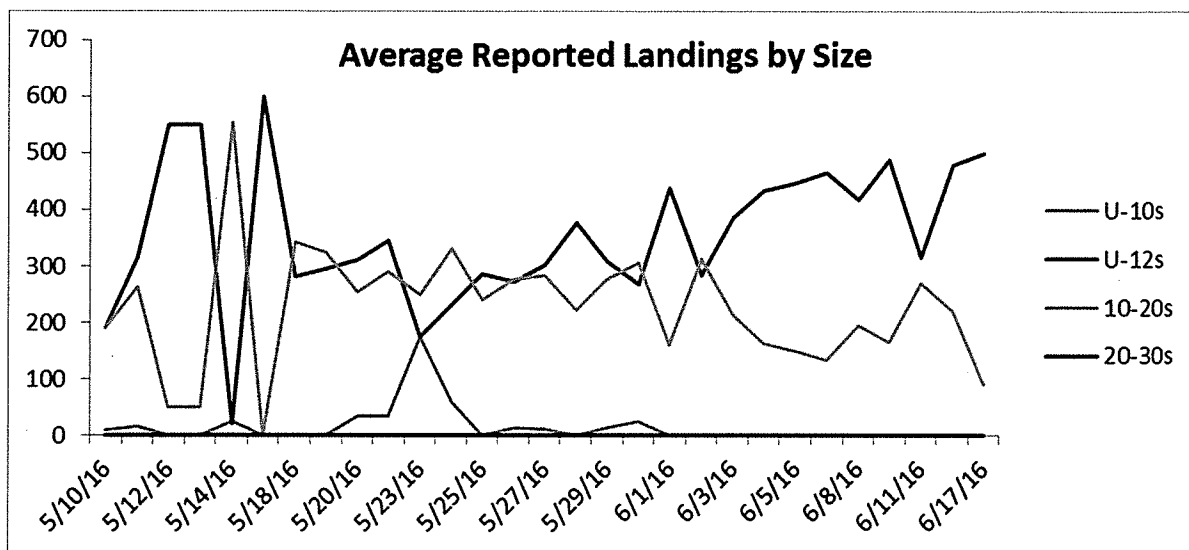


Figure 3. Average landings reported by market size category from the General Category fleet in Nantucket Lightship Access Area.

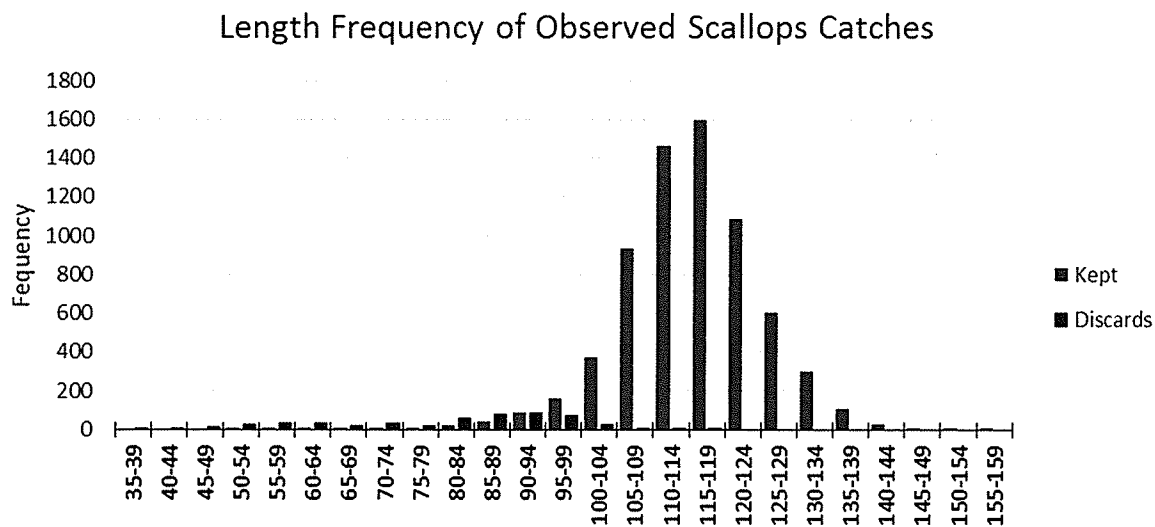


Figure 4. Length frequency of kept and discarded scallops on NEFOP observed trips.

Table 1. Target and non-target catch from fishermen reports and observer records.

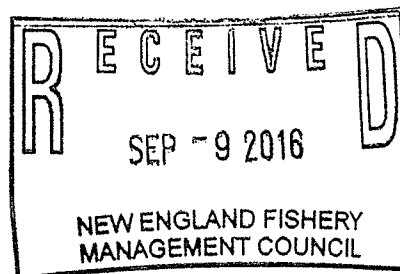
	Fishermen Reports	Observer Records
Total Tows	815	144
Total Kept Scallops (lbs)	127,672	20,049
Total Discarded Scallops (lbs)	~9,456	~1,058
Total Yellowtail (lbs)	24.8	0
Total Windowpane (lbs)	240	35.9
Average Yellowtail(lbs)/Kept Scallop(lbs)	0.0002 \pm 0.001	0
Average Windowpane(lbs)/Kept Scallop(lbs)	0.0022 \pm 0.005	0.0022 \pm 0.006

Outreach

We attended a meeting with the Cape Cod Commercial Fishermen's Alliance in Chatham on 1 June, and hosted a meeting with members of the Cape Cod Commercial Fishermen's Association in Fairhaven on 15 July to discuss the Limited Access General Category Nantucket Lightship access area bycatch avoidance efforts. The meetings provided opportunities to address questions and discuss the performance of the Bycatch Avoidance System.



MAINE COAST
FISHERMEN'S
ASSOCIATION



September 7, 2016

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

Dear Chairman Stockwell:

Please accept these comments on behalf of the Maine Coast Fishermen's Association regarding **setting the total allowable catch (TAC) of scallops for the Northern Gulf of Maine Management Area for FY 2017**. The Maine Coast Fishermen's Association (MCFA) is an industry-based non-profit which identifies and fosters ways to restore the fisheries of the Gulf of Maine and sustain Maine's historic fishing communities for future generations. Established and run by Maine fishermen, the objectives of the Association are: to provide a voice for our fishing communities; to rebuild the Gulf of Maine ecosystem; and to help build viable fishing businesses on our coast. With members living in Maine communities ranging from Kittery to Mount Desert Island, our fishermen represent a diverse range of fisheries but have come together to form a cohesive voice to weigh in on important management issues. As such, we are extremely interested in building a robust and sustainable scallop fishery in the Gulf of Maine and we hope that the Council will continue to work with us toward that goal.

For the first time in almost two decades, the scallop stock is rebuilding in the Gulf of Maine. This is not surprising considering the hard work that has established a strong state waters population, as well as warming waters within the Gulf. Unfortunately, we cannot yet celebrate the successful return of this valuable stock. Last year, as you are well aware, harvest of scallops *far* exceeded the recommended catch of 70,000lbs within the GOM. The small-boat fleet caught nearly 87,000lbs (between NGOM permits and general category permits) and the limited access boats landed at least 230,000lbs. The presence of so many scallops is obviously a good thing, but our inability to properly control the catch of this important species, especially as it continues to rebuild, is very worrying. The only way to currently regulate the Gulf of Maine scallop fishery is to place TAC catch limits on NGOM and general category boats and close the area to all fishing after the limit has been reached. We recommend a TAC of 100,000lbs for the 2017 fishing year.

The members of MCFA support a 100,000lb catch limit: they recognize that there is a growing scallop population and they want to ensure that Maine's small boat fleet can benefit from that growth. With participation in the groundfish fishery and shrimp fishery not being very lucrative for fishermen in Maine at this time, any additional income is extremely important for our small-boat fleet. The scallop PDT stated that the stock TAC



should represent *all take* from the area, which is currently impossible to control . However, we are aware that the proposed TAC could be as high as 500,000lbs. Increasing the NGOM TAC to this level prior to correcting dangerous management inconsistencies will allow limited access vessels to have an even longer period of unrestricted fishing in this unique and vulnerable area. This could risk delaying the rebuilding of this fishery for another 20 years, which we cannot afford. Instead, we hope that you will support a 100,000lb TAC, which will amount to 83,000lbs after the 2016 overage is applied, resulting in roughly the equivalent of what was caught in 2016.

Additionally, we ask that the scallop AP, scallop committee, and the NEFMC prioritize fixing these management inconsistencies within the NGOM management area. This is crucial to the success of our fishery, and we hope that you will ensure that this work gets done in a timely manner.

Thank you for your support and attention to this issue.

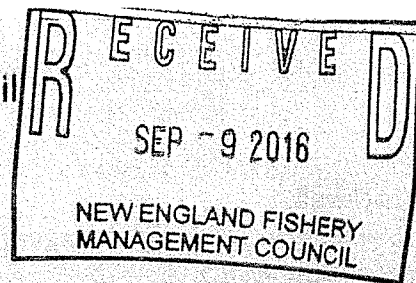
Sincerely,



Ben Martens
Executive Director



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



Dear Chairman Stockwell:

My name is Begoni F. Puck Jr. and I am a fisherman from Bucks Harbor ^{ME} (town) on fishing vessel F/V Clean Sweep (boat name). I'm writing to ask you to set the NGOM TAC at (70,000 or 100,000) pounds in 2017, and also to prioritize correcting dangerous inconsistencies that threaten the viability of the resource and the fishery.

The NGOM management area was created in recognition of the fact that the Gulf of Maine scallop resource fluctuates widely, and happened to be at a low point in qualifying years for Amendment 11. If Terry Stockwell and others had not worked to create the NGOM, many fishermen would have been shut out of a fishery that has historically been very important to them. Many of us have waited for a long time to get NGOM permits to use, and it's a shame that after all the years of waiting I must now ask you to limit our catch to far below what scientific research says can safely be taken from this area. But because of the huge gaps that exist in the regulations, that is exactly what I am doing.

For the 2017 fishing year, I strongly believe that the TAC should be set at no more than 100,000 lbs. Currently, the General Category and NGOM boats tap at the TAC 200 pounds at a time. While they're doing that, Limited Access boats can harvest an unlimited amount of scallops from the area. The only way to the only way to constrain scallop catch within the NGOM is by setting a TAC that our small boats can harvest quickly so that all fishing within the NGOM can be stopped. Increasing the NGOM TAC too much prior to correcting dangerous management inconsistencies will allow limited access vessels an even longer period of unrestricted fishing in this unique and vulnerable area.

Setting the TAC too high will put the rebuilding of this fishery at risk. I hope that you will support the 100,000 lb TAC and will prioritize closing the loopholes that currently exist in NGOM management.

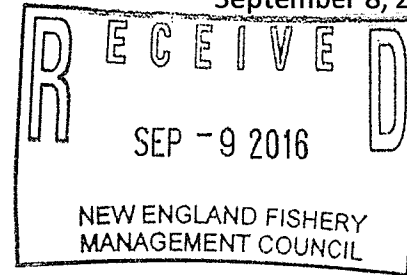
Thank you.

Sincerely,

Begoni F. Puck Jr.
F/V Clean Sweep

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

September 8, 2016



Dear Chairman Stockwell:

My name is Dana Hammond and I a fisherman from Portland, ME on the fishing vessel Nicole Leigh. I'm writing to ask you to set the NGOM TAC at 100,000 pounds in 2017, and also to prioritize correcting dangerous inconsistencies that threaten the viability of the resource and the fishery.

The NGOM management area was created in recognition of the fact that the Gulf of Maine scallop resource fluctuates widely, and happened to be at a low point in the qualifying years for Amendment 11. If Terry Stockwell and others had not worked to create the NGOM, many fishermen would have been shut out of a fishery that had historically been very important to them. Many of us have waited for a long time to put our NGOM permits to use, and it's a shame that after all the years of waiting I must now ask you to limit our catch to far below what scientific research says can safely be taken from this area. But because of the huge gaps that exist in the regulations, that is exactly what I am doing.

For the 2017 fishing year, I strongly believe that the TAC should be set at no more than 100,000lbs. Currently, the General Category and NGOM boats tap away at the TAC 200 pounds at a time. While they're doing that, Limited Access boats can take an unlimited amount of scallops from the area. The only way to the only way to constrain scallop catch within the NGOM is by setting a TAC that our small boats hit quickly so that all fishing within the NGOM can be stopped. Increasing the NGOM TAC too much prior to correcting dangerous management inconsistencies will allow limited access vessels an even longer period of unrestricted fishing in this unique and vulnerable area.

Setting the TAC too high will put the rebuilding of this fishery at risk. I hope that you will support the 100,000lb TAC and will prioritize closing the loopholes that currently exist in NGOM management.

Thank you.

Sincerely,

Dana Hammond
F/V Nicole Leigh