

From: <togue@mainedayboatscallops.com>

Comment received via email 9/18/14

Date: September 18, 2014 at 1:23:03 PM EDT

To: <dboelke@nefmc.org>

Subject: Comments for next week's AP and Committee meetings

Hello Deirdre: Please include the following comments in the information distributed for next week's AP and Committee meetings. Thank you.

I am writing today to ask you to support Options 2.2.2 and 2.2.3 in Framework 26, which will enable federally-permitted scallop fishermen to participate in Maine's state water fishery regardless of the status of the NGOM TAC and will offer states the ability to request exemptions for additional permit types if and as appropriate.

The NGOM TAC is based on the status of the scallop resource in Federal waters, and is designed to protect the scallop resource in Federal waters. The status of the NGOM TAC should have no bearing on fishermen's ability to participate in Maine's independently managed and much larger state water fishery.

The NGOM management area was created to allow small to medium- sized vessels to fish for scallops in NGOM waters if and when the resource recovered. This year, for the first time since the area was created, the TAC may actually be reached. If it is not reached this year, it will likely be reached in the near future. It makes no sense to prohibit NGOM fishermen from fishing in state waters simply because the resource in Federal waters is finally recovering.

The Maine Department of Marine Resources (DMR) manages its state waters independently from Federal waters and the majority of fishermen who take part in Maine's state water fishery do not hold Federal scallop permits. Fishermen that hold both Federal and State permits are likely to be more dependent on scallop fishing than those who hold only a state permit. This prohibition will prevent these fishermen from participating in the state water fishery. Many of these fishermen rely on the state water scallop fishery to provide income during the winter when the lobster fishery is less active. Preventing these fishermen from participating in Maine's state water scallop fishery will have no impact on the status of the scallop resource in Federal waters, but it will have a dramatic impact on these Federally permitted fishermen, their crew and their families.

At the June Council meeting in Portland, Council members unanimously supported the request put forth by several NGOM fishermen to change the regulations to allow them to participate in Maine's state water fishery if and when the NGOM TAC is reached. There was some debate concerning whether the exemption should apply exclusively to NGOM permits or be extended to all permit types.

I ask you to support option 2.2.2, which will allow vessels with a NGOM permit to participate in state waters regardless of whether or not the NGOM TAC has been reached, *and also support option 2.2.3*, which will allow individual states to craft additional exemptions if they see fit. This hybrid approach will create a consistent exemption for NGOM permit holders but will also allow individual states the flexibility to craft additional exemptions that make sense for their individual and independent management programs.

I thank you for your consideration of this important matter.

Yours truly,

- Togue

Togue Brawn

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