

# HABITAT CORRESPONDENCE

Received

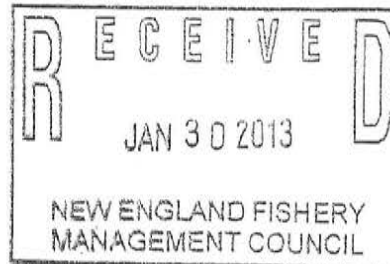
Dec. 16, 2013 – Feb. 14, 2014





We have received 153 of these letters dates Jan. 30 - Feb. 14, 2014

Mr. Tom Nies  
New England Fishery Management Council  
50 Water Street  
Newburyport, Massachusetts 01950  
Fax: 978-465-3116



**Proposed Stellwagen Bank Sanctuary Ecological Research Area (DHRA)**

Dear Mr. Nies:

I am writing to you as a recreational angler regarding the proposed habitat protection measures being considered by the New England Fishery Management Council (NEFMC), I strongly oppose any changes to the Western Gulf of Maine closed area and strongly support *No Action*.

In the past few years since the introduction of catch shares, we have been forced to run further offshore to locate ground fish with the high costs of marine fuel. I do not feel it is justified to deny public access in a 55 square NM area from recreational anglers forcing them fish further offshore in small boats. The waters located in the SBNMS have been fished by recreational anglers for decades. Recreational anglers do not harm the bottom fishing with hook and line. Currently most recreational anglers are fishing for ground fish for only six months because of the prohibition on cod from Nov - mid April.

The recreational sector always seems to be left out of focus when it comes to spotlighting NEFMC issues and initiatives; in reality, the socioeconomic importance of recreational fishing cannot be ignored in this critically important vote. I strongly support *No Action*, and ask that the NEFMC recognize the significance of our recreational fishing industry and the socioeconomic impact this will place on the recreational fisherman and charter/party boat owners.

Any additional closed areas for the charter/party and recreational anglers will create an adverse effect on a sector that is already operating under rules with strict bag limits, minimum size limits, a hard TAC and a five-and-a-half month closed season on GOM cod. The fish that we do extract are used for personal consumption for meals at home and also are part of the allocation recommended by the NEFMC and approved by the NMFS. This proposed closure clearly does not justify the future socioeconomic impact on the recreational fishing sector. Charter customers and recreational fisherman spend millions of dollars to go fishing supporting many local businesses, from tackle shops charter and party boats, restaurants and hotels which will all be affected by being denied access.

Respectfully signed,

(sign name)

(print name)

(address, city, state)

*Albert B Smeral*

ALBERT B SMERAL

16 EDEN ST MILLIS MA 02054

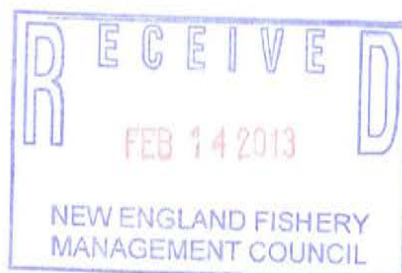
Date:

1/30/14

100-110-110-110



Tom Nies



Propose L Stellwagen Bank (DHRA)

Dear Tom I am writing you as a recreational fisherman regarding measures being considered by the New England Fishery Management Council to close any parts of the sanctuary to fishing. I support No Action

Paul Dinn

Paul Diggins

22 Parkway Rd #4

Brookline MA 02448

2/11/14

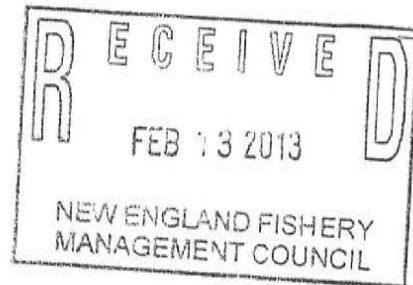
9-1-978-465-3116

Please don't close Stellwagen Bank to recreational fishing; we didn't do the damage, so why should we pay the price?

Please don't let our Herring get decimated every year so that our BFT end up in Canada where they properly protect Herring.

If you really want to fix the problem in our oceans, make all fishing (that makes sense) go back to hook and line; the net is the enemy of conservation, sustainability, and mutually beneficial coexistence between man and the sea.

Ryan D. Abood  
President & CEO  
[GourmetGiftBaskets.com](http://GourmetGiftBaskets.com)  
[Cheesecake.com](http://Cheesecake.com)  
[Strawberries.com](http://Strawberries.com)  
[KingOfPOP.com](http://KingOfPOP.com)  
266 Route 125  
Kingston, NH 03848  
w - 603-606-5269  
c - 603-591-9901  
f - 603-657-9083



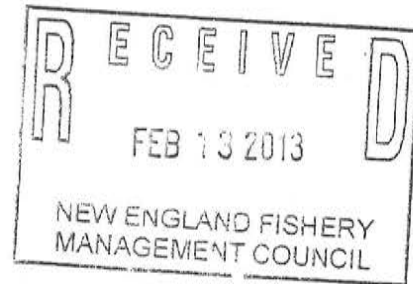




Do NOT close Stellwagon as a study area, just stop allowing trawlers to decimate fish stocks everywhere and fish habitat and populations will recover.

Steve Singler

Sent from my iPhone

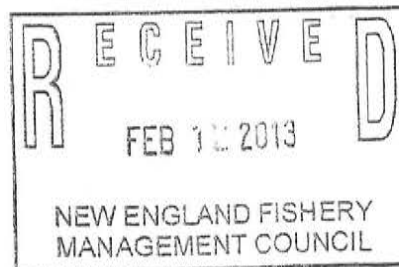




CPF Charters "Perseverance"  
P.O. Box 732, Brant Rock, MA 02020  
(617) 291-8914  
[cpfcharters@yahoo.com](mailto:cpfcharters@yahoo.com)  
[www.cpfcharters.com](http://www.cpfcharters.com)

February 12, 2014

Mr. Tom Nies  
New England Fishery Management Council  
50 West Street  
Newburyport, Massachusetts 01950



**RE: Proposed Designated Habitat Research Area ("DHRA") Stellwagen Bank National Marine Sanctuary ("SBNMS")**

Dear Mr. Nies:

As an owner and operator of the charter boat "Perseverance" located in Green Harbor, Massachusetts that fishes the Stellwagen Bank waters and as a member of the SBNMS Advisory Council – Recreational appointment and NEFMC Enforcement Advisory Panel, I oppose any change to the Western Gulf of Maine ("WGOM") closed area and support *Alternative No. 1, No Action* to the proposed habitat protection measures being considered by the NEFMC. In addition I cannot support at this time the DHRA presented at the NEMFC meeting in January and therefore support *Alternative 1 (No Action) – No DHRA designation* for SBNMS.

Denying access to these productive fishing grounds will have a devastating economic impact on the charter/party and recreational anglers and all of the businesses (marinas, tackle shops, coffees shops, restaurant, hotels, etc.) that rely on this industry.

The flawed catch share system has resulted in the poor status of the cod fishery that was at sustainable levels approximately 3 to 4 years ago. The proposed DHRA is within one of the last areas that are accessible to the fleet that provides fruitful levels of cod and other bottom fish. Until the flawed catch share system is modified there will continue to be a lack of fish at SBNMS.

Concluding that the proposed DHRA area is not an area utilized by charter boat/party recreational anglers based on Vessel Trip Reports ("VTR") is incorrect based upon how the coordinates are recorded on the VTRs. This flawed science does not accurately reflect the use of this area by the charter boat/party recreational anglers.

The DHRA proposes that no bottom fishing occur by the charter boat/party recreational anglers in this area in order to not have an impact on the cod or bottom fish that may be present in this area. Yet lobster traps will be permitted that regularly catch cod and bottom fish. This flawed science contradicts the purpose of the closure.

*Enjoy your day of fishing aboard the "Perseverance" on a fully equipped Pursuit 3000 Offshore with a Marlin Tower and Outriggers depart from Green Harbor or Falmouth, MA.  
Go to [www.cpfcharters.com](http://www.cpfcharters.com) for details.*

*cc: Cornu, FH, JC, MB (2/14)*

CPF Charters "Perseverance"  
P.O. Box 732, Brant Rock, MA 02020  
(617) 291-8914  
[cpfcharters@yahoo.com](mailto:cpfcharters@yahoo.com)  
[www.cpfcharters.com](http://www.cpfcharters.com)

As set forth in the *SBNMS Final Management Plan and Environmental Assessment* dated June 2010, there are alternate "offshore northeast continental shelf location that are suitable candidates" for the research area. Why are the alternate offshore continental shelf locations not being considered as a result of the devastating economic impact to charter/party and recreational anglers and all of the businesses that rely on this industry?

Please do not deny the fleet and recreational angler's access to these productive fishing grounds.

If you have any questions please email or give me a call at (617) 291-8914.

Very truly yours,



Capt. Michael J. Pierdinock  
CPF Charters, Charter Boat "Perseverance" Green Harbor, MA

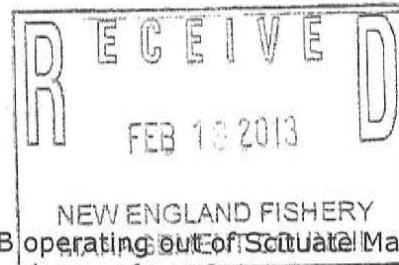
Stellwagen Bank Charter Boat Association – Officer  
Stellwagen Bank National Marine Sanctuary Advisory Panel – Recreational Appointment  
NEFMC Enforcement Advisory Panel  
Recreational Fishing Alliance - Member

cc: Mr. John Bullard, Administrator, NMFS  
Mr. Paul Diodati, Director, MA. Division of Marine Fisheries  
David Pierce, PhD MA. Division of Marine Fisheries  
Mr. Barry Gibson, NEFMC RAP  
Mr. Frank Blount NEFMC  
Mr. Dave Preble NEFMC  
Ms. Michele Bachman, NEFMC  
Mr. Charles Wade, President, SBCBA

*Enjoy your day of fishing aboard the "Perseverance" on a fully equipped Pursuit 3000 Offshore with a Marlin Tower and Outriggers depart from Green Harbor or Falmouth, MA.  
Go to [www.cpfcharters.com](http://www.cpfcharters.com) for details.*



Mr. Nies,



I am the owner operator of the charter Boat Lorraine B operating out of Scituate Mass. I have additional duties operating two more charter vessels, one from Quincy and the third out of Chatham I am opposed to the changes proposed relative to the DHRA. Contained in the current discussion documents it clearly indicates that alternative one NO ACTION would provide the most positive impact of all the alternatives.

All of the discussions I have been involved with have proven to be in favor of the DHRA proposal BUT, WITHOUT RESTRICTIONS ON HOOK AND LINE FISHING. Mr. Nies, everyone is very much aware there is negligible impact on bethink habitat from hook line and sinker. You are also aware that in your own meeting discussion papers that considerable research has already been performed on the habitat benefits related to fish life cycles. The mandate of the council is clear in that it should formulate regulations with the most benefit to habitat preservation and the least detrimental impact on fishing operations.. To date NO-ONE Mr. Nies can justifiably indicate what benefit if any will result from stepping into the NEW GROUND of establishing a DHRA restricting the recreational fishing that takes place in this area. All considered this NEW science if in fact it ever gets done simply doesn't justify the negative financial impact that would result from closing this area to hook and line fishing.

Concerning the recent submission from Dr. MacDonald of the Marine Sanctuary.. without my science degree it is simple enough to me to look at a Captain Seagulls Fishing Hot Spots Chart and determine that a considerable amount of fishing activity takes place there. If this proposed new science is any indication of the claptrap presented by his interpretation of data I certainly wouldn't want my good name associated with it. His letter and presentation is clearly misleading and profoundly flawed in the use VTR data to determine the effort in an area of this size. It indicates to me that one might be willing to submit any sort of data to justify what clearly constitutes a power grab for control of the proposed area. The data submitted from the council in it's own spatial impact study clearly indicates that this data is seriously incorrect. Better that; but still given the general inadequacies and the limited data derived particularly from MRIP surveys the amount of effort currently in the proposed closure area I feel is seriously under represented.

In consideration above I must then say that I must be opposed to the establishment of a DHRA and consider Alternative one NO Action would be the best alternative to the matters current before the council.

Thank you for your consideration, please feel free to contact me with questions or comments..

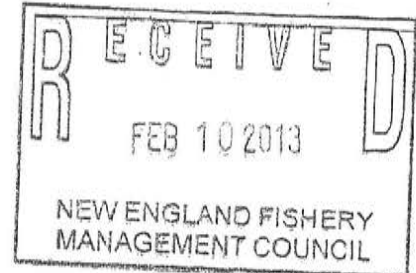
Robert Briggs

Capt. Bob Briggs  
F/V Lorraine B  
45 Center St.  
Hanover, Ma. 02339





P.O. Box 1230  
Marshfield, MA 02050



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

February 5, 2014

Dear Mr. Nies:

I'm writing on behalf of the Stellwagen Bank Charter Boat Association (SBCBA), which comprises 130 members and small businesses. We are very concerned that proposed SERA II (DHRA) closed areas will have a significant negative financial impact on our businesses, and we urge the Council to vote "No Action" as it relates to these proposed closures.

As you know, the for-hire fleet already faces significant financial hardships due to the 5 ½ month seasonal closure imposed on our activities. In April, when our season reopens, our customers look forward to taking home some cod and haddock fillets. If we're denied access to 55 square nautical miles on Stellwagen Bank in areas where we currently find fish, we'll have to travel further east. That prospect introduces increased cost, time, and safety concerns for more than 190 charter boats with NE multispecies permits that operate from ports in this area. And this additional restriction on our ability to make a living is simply untenable.

Frankly, it's difficult to imagine what possible research benefit could justify denying public access to an area that's been fished for centuries and jeopardizing the livelihoods of hard working fishermen. And if the research is that important, why not move it further offshore – out of the Sanctuary and off the historical fishing grounds that are so important to our financial future?

In conclusion, the members of the SBCBA ask the New England Fishery Management Council to reject the proposed reference areas as part of the habitat protection measures and to vote for "No Action" in the Western Gulf of Maine.

Thank you.

Charlie Wade  
President  
Stellwagen Bank Charter Boat Association

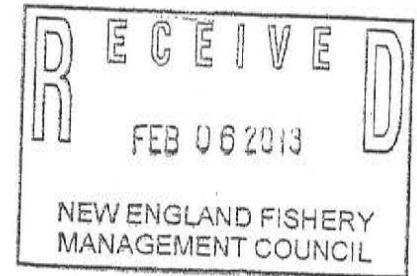
CC:  
Paul Diodati, Director, MA Division of Marine Fisheries  
David Pierce, Deputy Director, MA Division of Marine Fisheries  
John Bullard, Northeast Regional Administrator, NMFS  
Barry Gibson, Chair, Recreational Fishing Advisory Panel

*cc: Council, FH, JC, MB (2/12)*





**Wade**  
384 Neck Road  
Rochester, MA 02770  
508-763-0559



February 3, 2014

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

Dear Mr. Nies:

As the operator of a Green Harbor for hire vessel, Ghillie, I'm writing to express my opposition to the proposed SERA II (DHRA) reference area(s) that would deny public fishing access to a 55 square NM area in places we depend on for charter fishing.

I'm also incensed to learn that a key criterion used to select these proposed areas is based on Vessel Trip Report (VTR) data. These "data" have been erroneously interpreted to claim that very little fishing activity occurs in the proposed reference areas. Nothing could be further from the truth; other than the nearly 6 month seasonal closure already in place. On a typical groundfishing trip to NMFS statistical area 514, where both of the proposed closed (reference) areas are located, I may fish eight to ten different locations. Anyone familiar with the VTR log sheets knows that only a SINGLE SET of Lat/Lon coordinates is allowed. The instructions in my VTR log book state that fishermen are requested to use the "center point" of all the locations they fish when multiple locations are involved. How then can anything be inferred about where a fisherman actually fished? ***Especially if decisions about regulatory closures are involved!*** VTR data are intended to be macro, not micro.

In reality, the south shore fleet depends on these areas in the spring when we start fishing again after a seasonal closure of almost half a year. This is especially true since the catch share system has been implemented. Regrettably, the large sector boats working on the bank have virtually wiped out groundfish in what had been a dependable and thriving ecosystem that supported our artisanal hook-and-line fishery for years. Now, when spring rolls around, we're forced to fish further east than in past years just to find a few fish for our clients. And that puts us in the proposed reference area or the rockpile area, just to the north. If we're denied access to these areas, where will we go? Further east in April? That's a real safety concern, not to mention the extra fuel burn. Keep in mind that groundfish is the only game in town for us in April. We can't switch to tuna, shark, or striped bass until later in the year. Our clientele is from out-of-state and can fish for those other species closer to homes in NJ and NY. They travel to this region for the single purpose of landing groundfish, especially cod and haddock.

cc - Corned, MB (2/10)

Ironically, the members of my association are zealous supporters of sound scientific research. Nothing would make us happier than supporting efforts that ensure a lasting and sustainable fishery. For example, we actively tag cod, wolffish, shark, tuna, and billfish (on canyon trips) to support various government cooperative research programs. It's a real stretch, however, to understand what possible incremental research benefit can come from denying public access to such a large area when weighed against the economic losses we stand to incur if this reference area is implemented. Don't forget, this is already one of the most studied stretches of ocean in the world. And our clients are already balking about the long trips east due to catch share. This will be a tough if not impossible sell...

I urge you to take no action with respect to the reference area(s) in the SERA II (DHRA) proposal. Denying public access and forcing the for hire boats into economic uncertainty cannot possibly outweigh the "research" benefits that would accrue. Especially when the selection of these areas is based on badly flawed VTR assumptions.

Yours Truly,

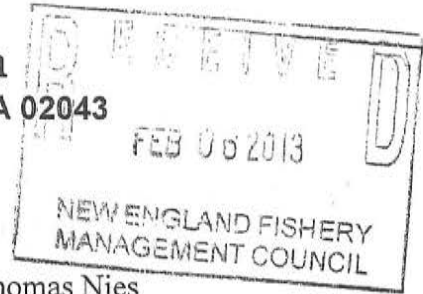
A handwritten signature in cursive script that reads "Capt. Charlie Wade". The signature is written in dark ink and has a fluid, personal style.

Captain Charlie Wade

Cc: Paul Diodati, Director, MA Division of Marine Fisheries  
John Bullard, Northeast Regional Administrator, NMFS  
Barry Gibson, Chair, Recreational Fishing Advisory Panel  
Senator Elizabeth Warren  
Congressman William Keating



**John E. Richardson**  
10 Ringbolt Road, Hingham, MA 02043  
[jerinc@comcast.net](mailto:jerinc@comcast.net)



February 5, 2014

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

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

Mr. Frank Blount  
Chair, Groundfish Oversight Committee  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950

Mr. Barry Gibson  
Chair, Recreational Fishing Advisory Panel  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950

Re: Stellwagen DHRA Reference Area

Dear Mr. Stockwell, Mr. Nies, Mr. Blount, and Mr. Gibson:

Immediately after gaining support of local fisherman by promising that fishing restrictions would not be part of Sanctuary business and before the Stellwagen Bank National Marine Sanctuary was actually created, the proponents of today's Stellwagen Bank DHRA began the process of breaking the promise by requesting of the council an opportunity to draft fishing regulations within the Sanctuary. (\*) In the face of such an embarrassingly disingenuous power grab, the Council determined that "fishing regulations were not necessary to fulfill the goals and objectives of the designation", Sanctuary.

But today the Council, although not quite independently in my opinion, is considering getting into the business of habitat research. This is a noble goal if it can be done without the influence of the power grabbers and also if it can be done in a form consistent with the Magnuson Act, which does not provide for regulation for the sake of regulation, but rather requires making every effort to minimize impact on the fishing industry.

It is the Council that is charged with weighing the possible benefits of increasing restrictions against the loss to fishing-related businesses in the South Shore. This is clearly the wrong time, wrong place.

Beginning in 2011, charter and private recreational boats were forced further offshore by increased large dragger activity on Stellwagen Bank. This group of small boats must now fish east of 70-15 W to escape the impact of draggers. East of 70-15W, and in the range of most charter boats, there exists few areas for adequate ground fishing; two of them are the Southern and Northern Reference Areas, just recently proposed as Option A and Option B for hook-and-line closure.

*cc: Council, AT, JC, MB (2/12)*

This is where these guys fish. Using VTR data to locate where fisherman actually fish is nonsense. Using data from before charter boats were forced to move into the reference areas to fish is deliberately providing misinformation. Misinformation is a common policy in the practice of power grabbing, but not nearly as offensive as Dr. MacDonald's appalling suggestion: "They have other area and species options" (\* 2) On the South Shore this quote is now known as the latest version of "let them eat cake".

The charter and recreational boats need these areas to fish. The local fishing-related communities need the economic benefits, which go way beyond the value of landings, as you are aware.

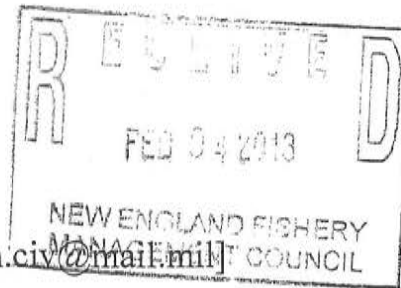
Adopting Option C establishes a DHRA without adding restrictions. It allows the greater majority of the prospective research to be possible without impacting the recreational and charter industry at their weakest point in history. Just as importantly, adopting Option C establishes, once again, the precedent that the Council determines the most effective measures for conserving and managing resources in this region.

Very truly yours,

John E. Richardson  
Stellwagen Bank Charter Boat Association  
Member and Director

(\*1) Stellwagen Bank FEIS/MP Appendices, Appendix F: New England Fishery Management Council response to NOAA consultation under Section 305(b)(5) of Title III

(\*2) MacDonald to Stockwell, Nies, Blount, and Gibson: January 14, 2014



**From:** Nolan, David B CIV (US) [david.b.nolan.civ@ma.fed.us]  
**Sent:** Tuesday, February 04, 2014 11:08 AM  
**To:** Tom Nies  
**Subject:** requesting your support on behalf of recreational fisherman everywhere.

Mr. Nies,

I am writing to you as a recreational angler with respect to the proposed habitat protection measures being considered by your agency. I oppose any changes to the Western Gulf of Maine closed area and strongly support taking no action on this. I realize that you have a difficult job and have to make some hard decisions.

However, to let you know, I am not just a letter writer. I fish up in these waters and we've done so for six years taking charter boats out of Green Harbor Mass. We stay at local hotels, buy fishing gear and eat in the local restaurants. We spend about \$1700-1800 each trip we come up. I also advocate fishing on the bank to many other friends who also charter and fish their own boats on the bank. I do not believe the recreational anglers hurt this ground fishery. We do not take that many fish. I do wish the restrictions would change so that we could not have to wade through so many small fish to get the keeper fish we do take. I can't imagine how many fish are wasted due to tossing them back.

Please help us this time. Let us fish. I have small seven kids and they enjoy fishing too. I'd like to bring them up when they are old enough.

David and Tanya Nolan, 135 West Branch Circle, North East Md 21901

David Nolan  
Futures Branch Chief  
PD C4ISR and Network Modernization  
6007 Combat Drive (Room F2-313)  
Aberdeen Proving Ground, MD 21005-1845  
(443) 395-0597 - APG  
(609) 562 4057 - Fort Dix





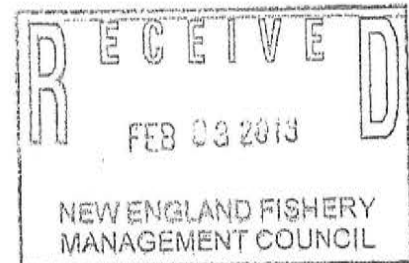
THE LAW OFFICES OF  
**JOSEPH P. FOLEY**  
ATTORNEY AT LAW • ACCOUNTANT  
98 NORTH WASHINGTON STREET  
SUITE 104  
BOSTON, MASSACHUSETTS 02114

TELEPHONE 857 265-2931  
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WEB [bankruptcy-lawyer-bostonma.com](http://bankruptcy-lawyer-bostonma.com)

January 31, 2014

**By Facsimile 978-465-3116**

Mr. Tom Nies  
New England Fishery Management Council  
50 Water Street  
Newburyport, Massachusetts 01950



**Re: Proposed Stellwagen Bank Sanctuary Ecological Research Area (DHRA)**

Dear Mr. Nies:

I am writing to you as a recreational angler regarding the proposed habitat protection measures being considered by the New England Fishery Management Council (NEFMC). I strongly oppose any changes to the Western Gulf of Maine closed area and strongly support *No Action*.

In the past few years since the introduction of catch shares, we have been forced to run further offshore to locate ground fish with the high costs of marine fuel. I do not feel it is justified to ban a 55 square NM area from recreational anglers and make them fish further offshore in small boats. The waters located in the SBNMS have been fished by recreational anglers for decades. Recreational anglers do not harm the bottom fishing with hook and line. Currently most recreational anglers are only fishing for ground fish for only six months because of the prohibition of cod from Nov – mid April.

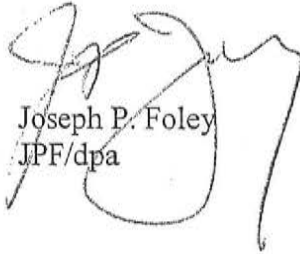
The recreational sector always seems to be left out of focus when it comes to spotlighting NEFMC issues and initiatives; in reality, the socioeconomic importance of recreational fishing cannot be ignored in this critically important vote. I strongly support *No Action*, and ask that the NEFMC recognize the significance of our recreational fishing industry and the socio economic impact this will place on the recreational fisherman and charter/party boat owners.

Any additional closed areas for the charter/party and recreational anglers will create an adverse effect on a sector that is already operating under rules with strict bag limits, minimum size limits, a hard TAC and a five-and-a-half month closed season on GOM cod. The fish that we do extract are used for personal consumption for meals at home and also part of the allocation recommended by the NEFMC and approved by the NMFS.

Mr. Tom Nies  
January 31, 2014  
Page Two

This proposed closure clearly does not justify the future socioeconomic impact on the recreational fishing sector. As a recreational angler charters and recreational fisherman spend millions of dollars to go fishing supporting many local businesses, from tackle shops charter and party boats, restaurants and hotels.

Respectfully signed,

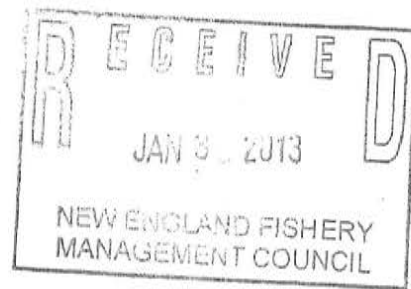


Joseph P. Foley  
JPF/dpa



**Paul J. Turek**

295 Park Street  
Madison, ME 04950  
207-696-8289  
[pauljturek@gmail.com](mailto:pauljturek@gmail.com)



January 26, 2014

Mr. Tom Nies  
New England Fishery Management Council  
50 Water Street  
Newburyport, Massachusetts 01950  
Fax: 978-465-3116

Dear Mr. Nies:

Regarding the proposed habitat protection measures being considered by the New England Fishery Management Council (NEFMC), I strongly oppose any changes to the Western Gulf of Maine closed area and strongly support Alternative 1, No Action.

Any additional closed areas for the charter/party and recreational anglers will create an adverse effect on a sector that is already operating under rules with strict bag limits, minimum size limits, a hard TAC and a five-and-a-half month closed season on GOM cod.

The type of research that the Stellwagen Bank National Marine Sanctuary wishes to conduct in the proposed 55-square-mile "reference area" is unnecessary. There has been plenty of research conducted all over the world on unfished populations and the resulting fish sizes and stock structure, so there is likely very little new data that we will learn by closing this area to recreational bottom fishing. Furthermore, this proposed closure clearly does not justify the future socioeconomic impact on the recreational fishing sector.

As a saltwater angler, I do not personally fish for profit, though my fishing participation supports many local businesses, from tackle shops and for-hire captains to owners of restaurants and lodging facilities. If the SERA II and the "reference area" is put into place, anglers will be forced to transit greater distances up to 40 NM to find a few cod and haddock for the dinner table. We are already fishing over 28 NM from port, which has severely restricted our angling opportunities...this latest proposal will have a devastating impact on our recreational fishing community.

I would also point out that since catch share management was implemented, a concentration of large draggers fishing 24/7 on the bank in the winter and spring has

*w. Cornil, MB (2/3)*

forced the charter/party and recreational anglers to fish east of Stellwagen Bank in order to locate cod and haddock. A simple analysis of the past two years of vessel trip reporting data would clearly indicate this change in fishing location, much of which is now taking place in the proposed "reference area."

Our recreational sector always seems to be left out of focus when it comes to spotlighting NEFMC issues and initiatives; in reality, the socioeconomic importance of recreational fishing cannot be ignored in this critically important vote. I strongly support Alternative No. 1, No Action, and ask that the NEFMC recognize the significance of our recreational fishing industry in supporting this winnable solution.

Respectfully,

 (YANKEE FLEET PATRON)

Paul J. Turek

PJT/rlt





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL OCEAN SERVICE  
Office of National Marine Sanctuaries  
Stellwagen Bank National Marine Sanctuary  
175 Edward Foster Road  
Scituate, Massachusetts 02066  
Tel: 781.545.8026 Fax: 781.545.8036

January 14, 2014

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

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

Mr. Frank Blount  
Chair, Groundfish Oversight Committee  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950

Mr. Barry Gibson  
Chair, Recreational Fishing Advisory Panel  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950

Dear Mr. Stockwell, Mr. Nies, Mr. Blount, and Mr. Gibson:

The PowerPoint presentation accompanying this letter presents results of an analysis of the impact on charter boat and private recreational fishing of instituting the reference area in the proposed Stellwagen Designated Habitat Research Area (DHRA). The Stellwagen DHRA is Alternative 3 in the Omnibus Essential Fish Habitat Amendment 2 Draft EIS, as revised at the December 2013 meeting of the New England Fishery Management Council (NEFMC or Council). At that meeting three options were included in the revision: (a) southern reference area; (b) northern reference area; and (c) no reference area.

Public comment opposing this Alternative (when it included only option "a" above) was sent to the Council for its December meeting. The comments made claims unaccompanied by actual analysis of fishing effort in the proposed reference area. We provide the results of our analysis to assist the deliberations of the Council on this Alternative and for consideration by the NEFMC Recreational Fishing Advisory Panel at its upcoming January 22, 2014 meeting. These analyses are offered supplemental to the comprehensive economic impact analyses being conducted by the NOAA Northeast Fisheries Science Center on this and other Amendment Alternatives.

The essential purpose of the proposed reference area is to allow valuable assessments of the role that groundfish removals play in mediating habitat recovery and how that affects the productivity of managed species. Significantly, recreational fishing accounted for 20-31 percent of total cod removals from the Gulf of Maine from 1999 through 2011. Citations in the PowerPoint presentation are referenced to supplement the analysis. The following summary results derive from analysis of charter boat Vessel Trip Report (VTR) data and data from the 2010 Massachusetts Recreational Boater Survey.



Neither of the proposed reference area options would have major impact on either charter boat fishing or private recreational fishing. In 2012, for example, 41-43 percent of all fishing trips in both proposed reference areas were made by just two boats. In general, 30 charter boats or less fished both of the proposed reference areas annually during 1996-2012, with four boats accounting for 41-100 percent of all trips each year during this period. Relatively few charter boats trips were made per year within each of the proposed reference areas compared to the total number of trips made elsewhere in Statistical Area 514.

Charter boats fish for more than just groundfish (e.g., Bluefin tuna, pelagic sharks, striped bass [in State waters]). They have other area and species options. And private recreational fishing is not a prevalent activity in the Stellwagen DHRA based on the most rigorous survey of recreational boating conducted to date. There were no "areas fished" reported within either of the proposed reference areas. An "area fished" is an activity area polygon where the boater designated fishing as the primary activity. The survey data analyzed was all routes and activity areas provided by Mass Ocean Partnership (SeaPlan).

I appreciate the opportunity to provide the results of these analyses for the Council's consideration. I would welcome the opportunity to make and discuss this PowerPoint presentation at the upcoming NEFMC Recreational Fishing Advisory Panel meeting. In contrast to the effect of commercial mobile and fixed fishing gear on seafloor habitats in the northeast, little to nothing is known about the mediating effect of groundfish removals by recreational fishing. A reference area included within the Stellwagen DHRA would enable that understanding.

Sincerely,



Craig D. MacDonald, Ph.D.  
Superintendent

Enclosure

cc:

Mr. John Bullard, Northeast Regional Administrator, National Marine Fisheries Service  
Dr. David Pierce, Deputy Director, Massachusetts Division of Marine Fisheries  
Mr. Andrew Applegate, Ecosystems Based Management Coordinator, NEFMC  
Ms. Michelle Bachman, Fishery Analyst, NEFMC



National Marine Sanctuaries  
National Oceanic and Atmospheric Administration

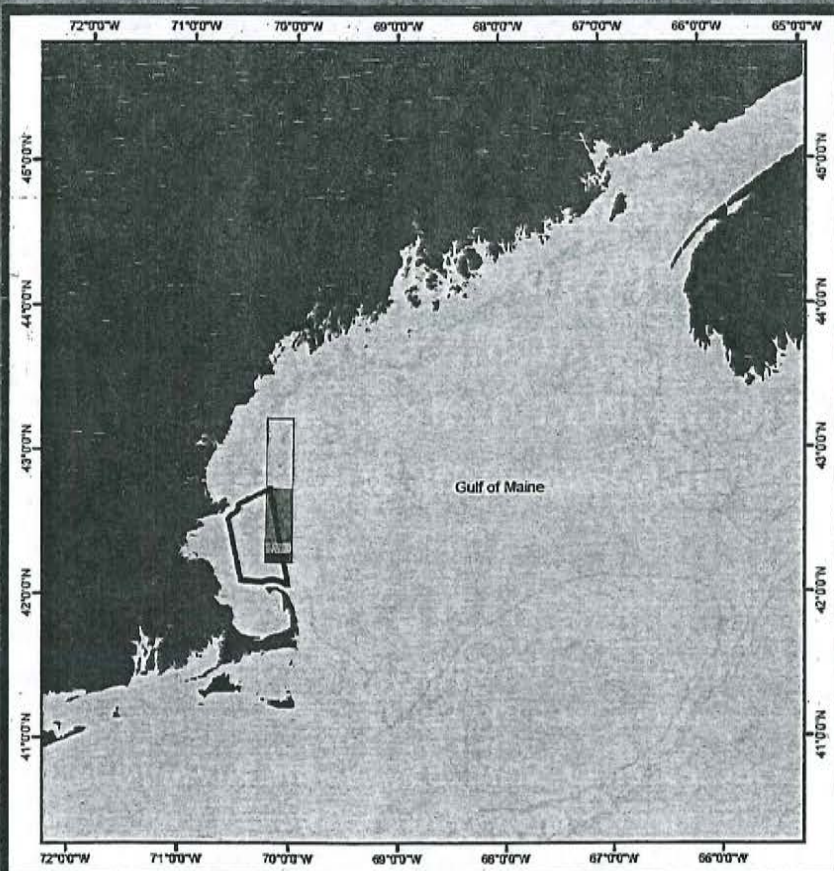


## Stellwagen DHRA Reference Area

**Purpose:** The proposed reference area allows valuable assessments of the role that groundfish removals play in mediating habitat recovery, our understanding of “natural” disturbance, and the role that habitat variation plays in productivity of managed resources.

Recreational fishing has accounted for as much as 31% of the total cod removals from the Gulf of Maine over the last decade.

*Source: Northeast Fisheries Science Center. 2013. 55th Northeast Regional Stock Assessment Workshop (55th SAW) Assessment Report. US Dept Commerce, Northeast Fish Sci Cent Ref Doc. 13-11; 845 p*



## Spatial Configuration & Regulatory Needs for Proposed Stellwagen DHRA (343 sq. nm.)

Status Quo
Northern Reference Area 55 sq. nm.
Southern Reference Area 55 sq. nm.

WGOM  
Closure Area  
Groundfish  
& EFH  
Status Quo

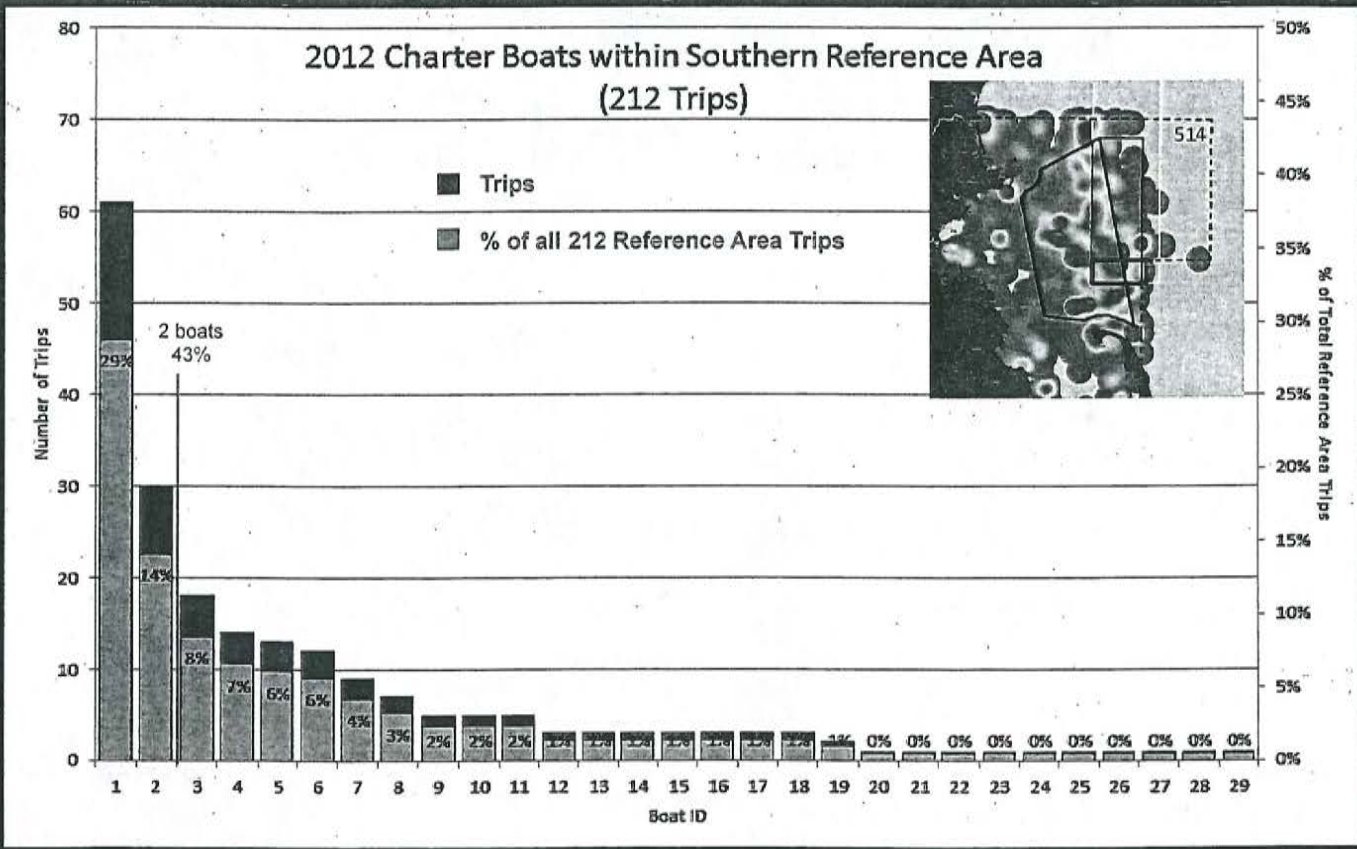
Status Quo  
Plus Exclusion  
Party/Charter  
& Recreational



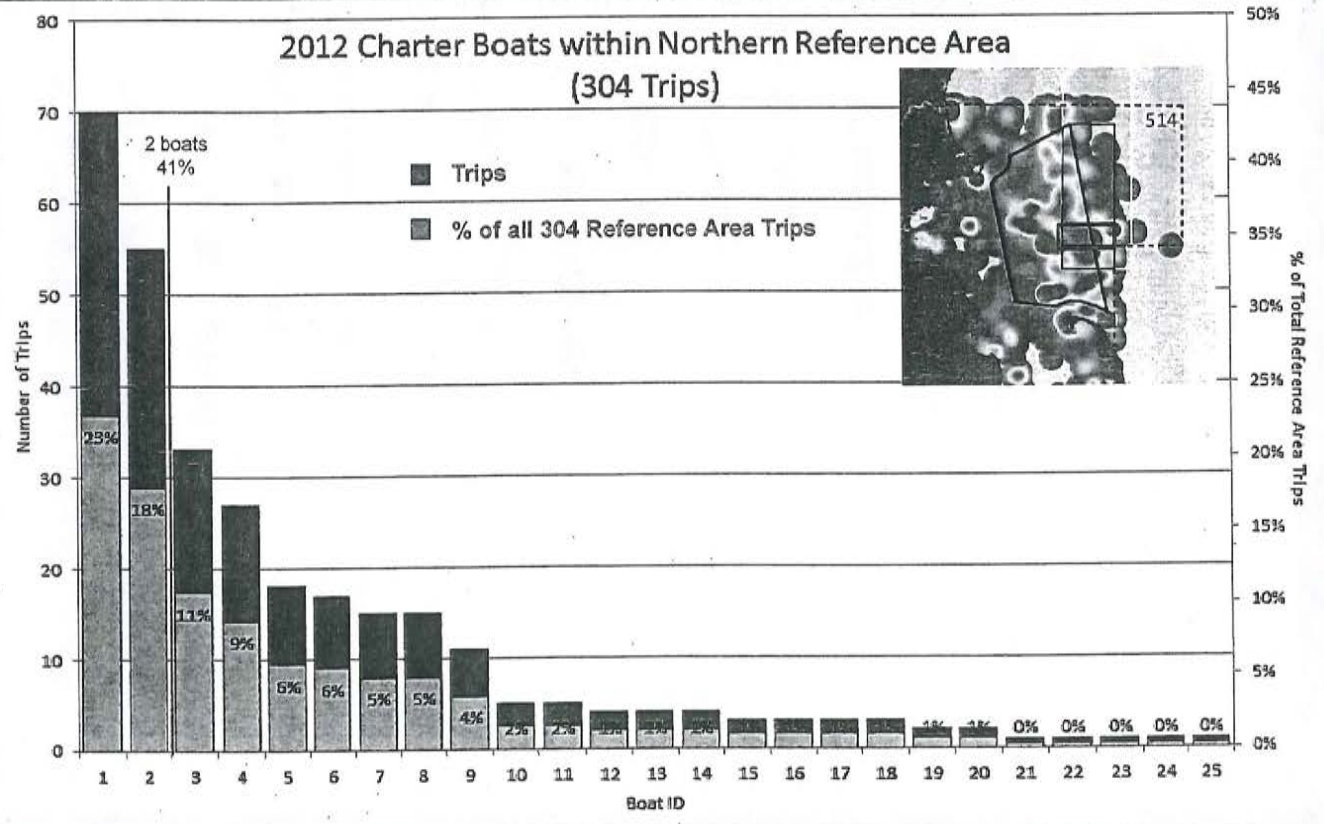


## Analysis of Charter Boat VTR Data

- In 2012, 41-43% of all trips in both of the proposed reference areas were made by just two boats
- In general, 30 charter boats or less fished both of the proposed reference areas annually during 1996-2012, with 4 boats each year accounting for 41%-100% of all trips during this period
- Both proposed reference areas account for a small number of all trips in Statistical Area 514
- Charter boats fish for more than just groundfish (i.e., Bluefin tuna, sharks, striped bass [in state waters]) and have other area and species options



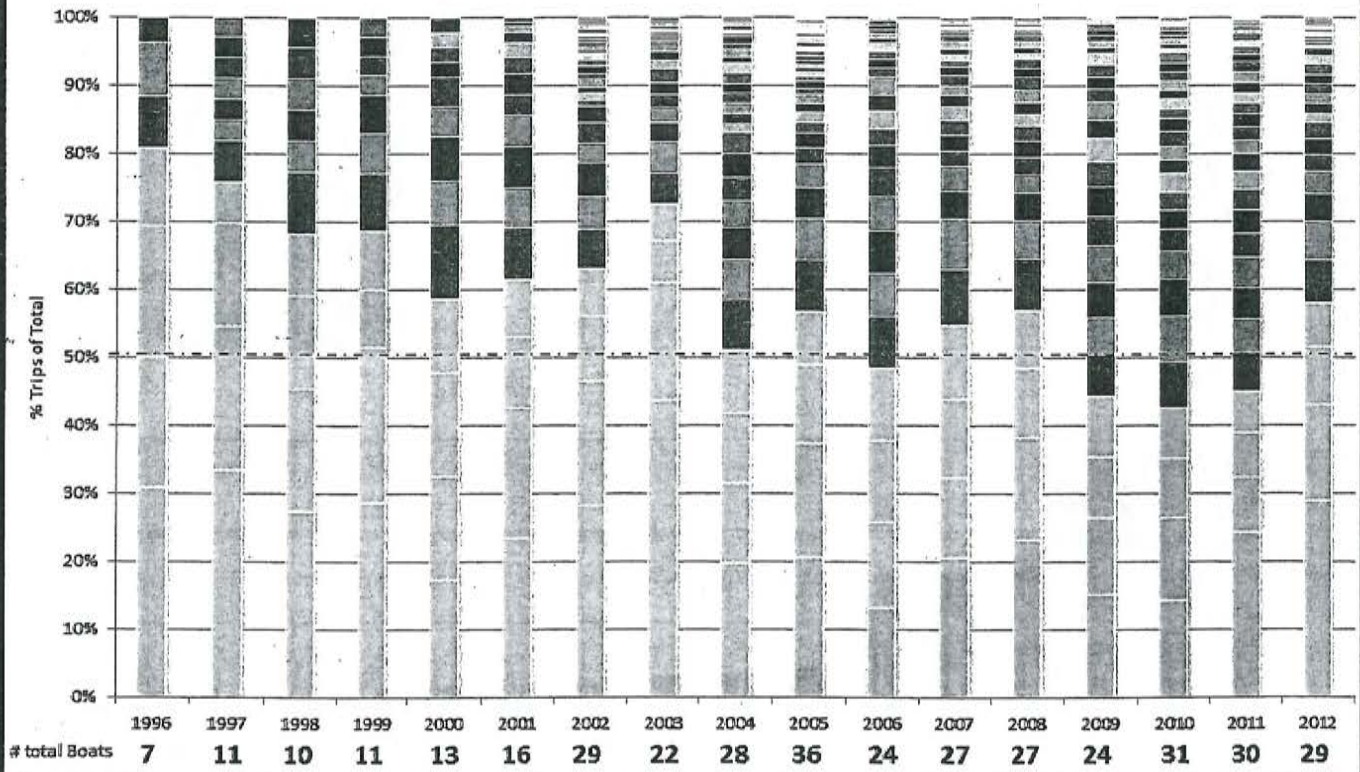






Charter Boats within Southern Reference Area

■ 4 Boats

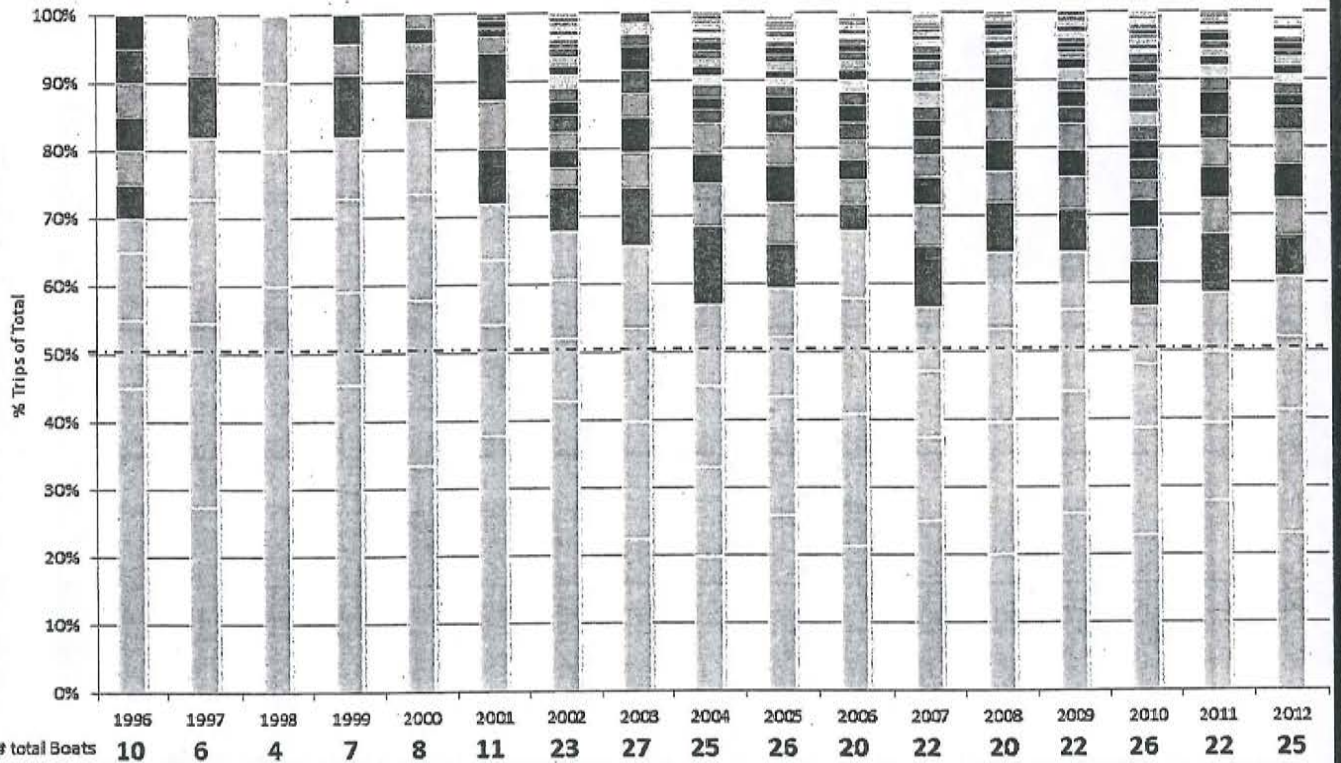


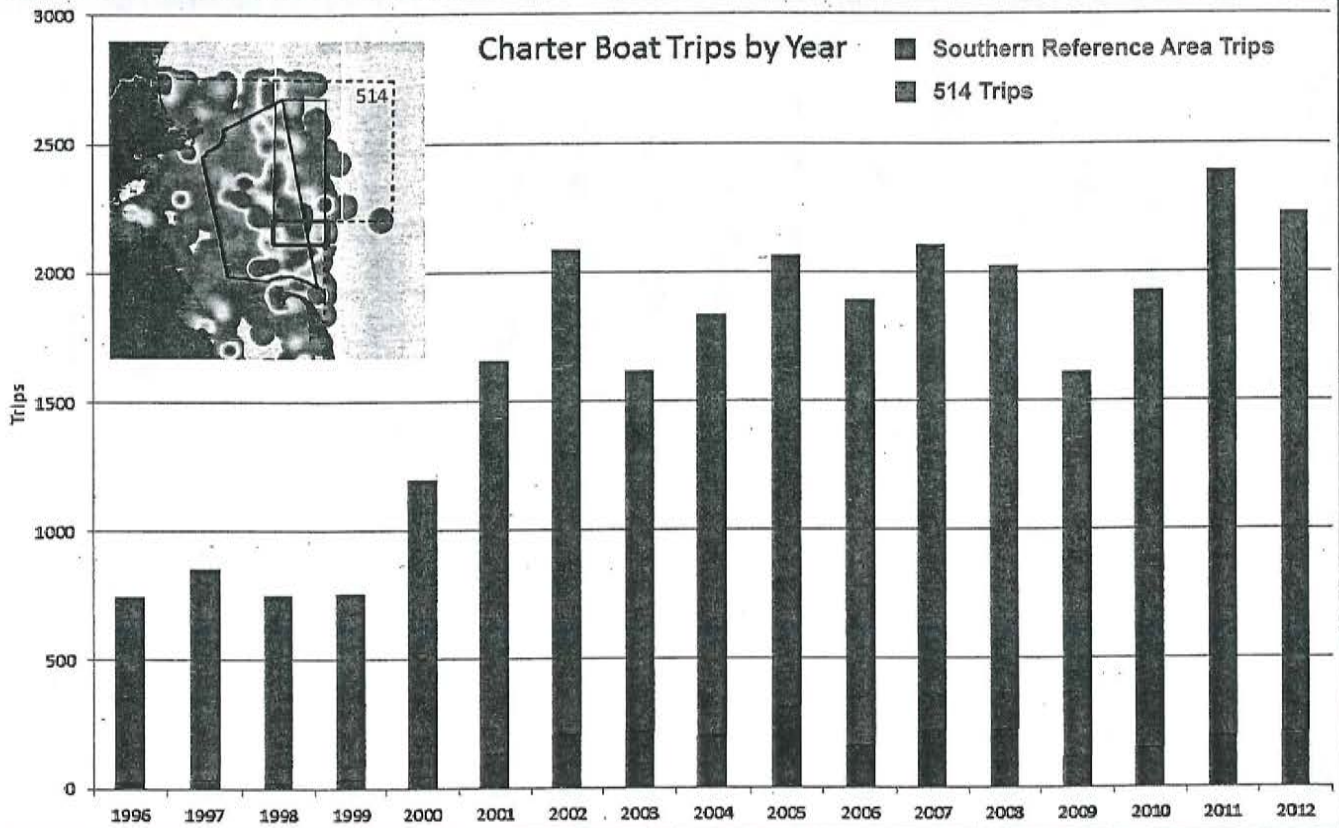




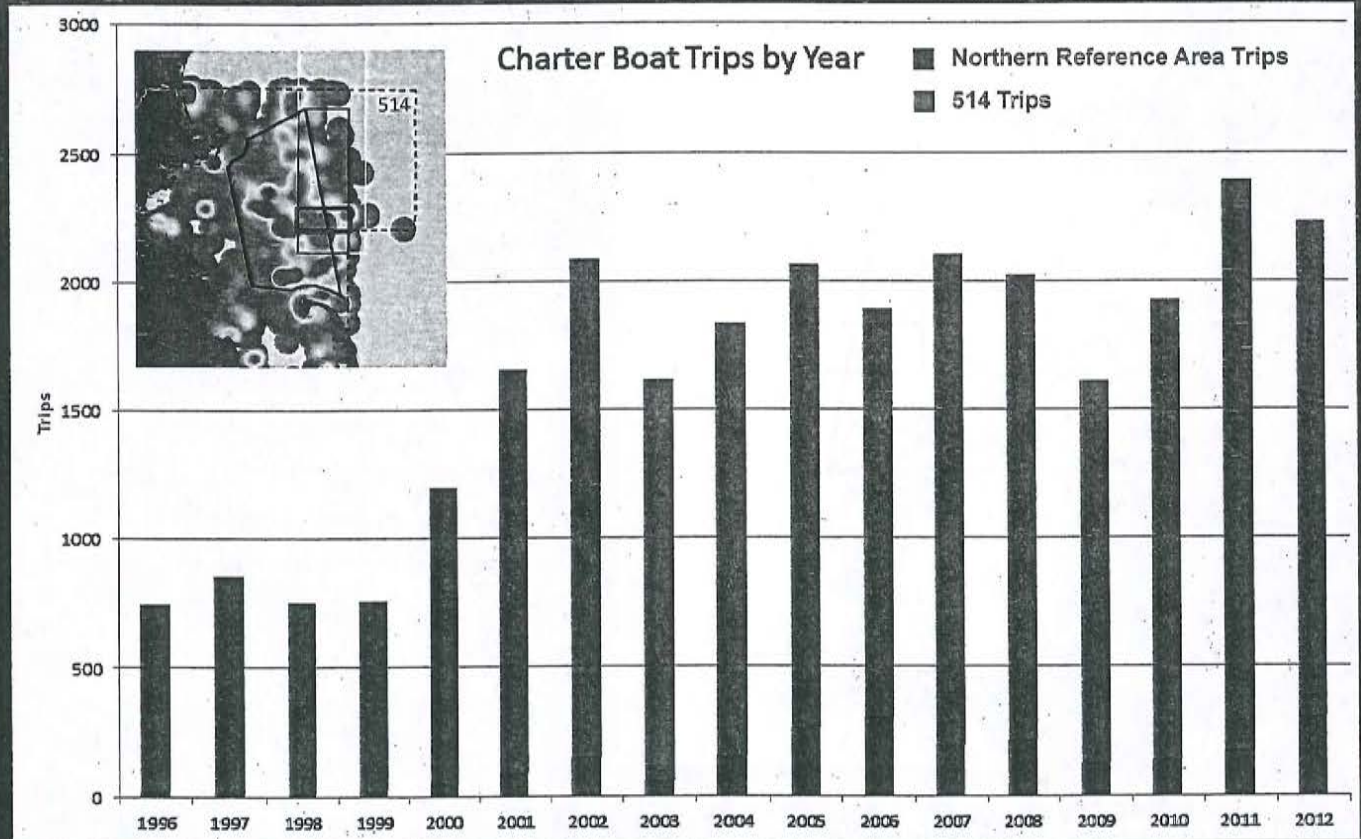
Charter Boats within Northern Reference Area

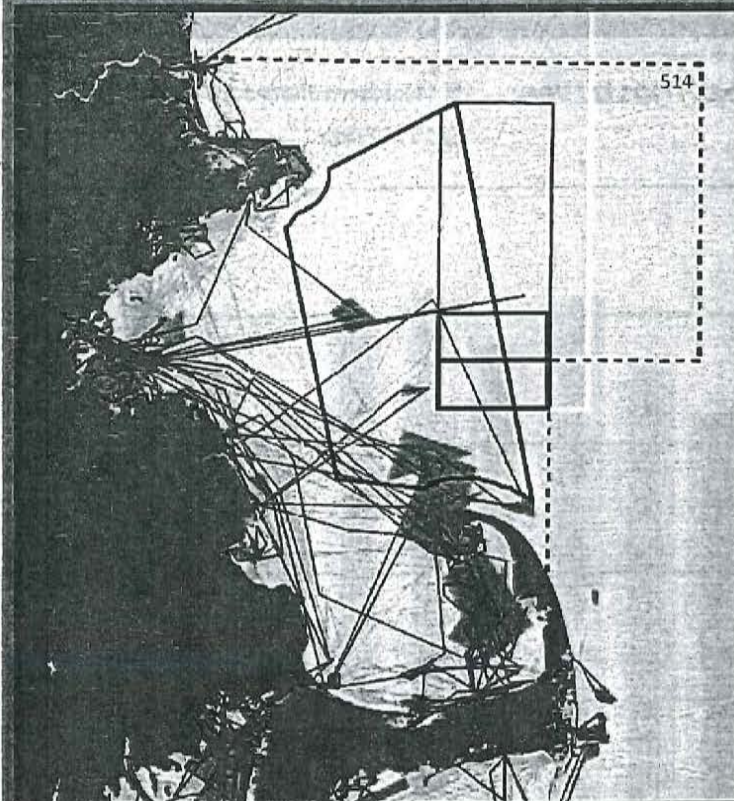
■ 4 Boats











## Private Recreational Fishing

Purple polygons = Areas Fished  
Red lines = Routes Fished

- Survey May – October 2010
- Last trip of each month
- 430 areas of activity in the spatial dataset, of which 192 (44.7%) involved fishing
- Six 'areas fished' (3.1%) were in SBNMS
- No 'areas fished' are in either of the proposed Reference Areas

Source: 2010 Massachusetts Recreational Boater Survey, Tech. Rpt#03.UHI.11,  
Massachusetts Ocean Partnership, June 2011



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

From: Richard Foley [<mailto:rfoley9391@hotmail.com>]

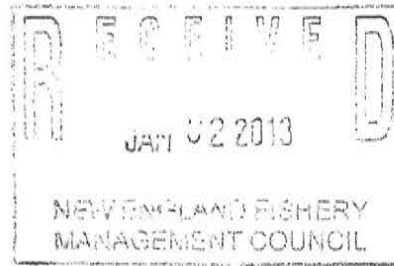
Sent: Tuesday, December 10, 2013 10:15 PM

To: Tom Nies

Subject: Opposition to SERA II

December 5, 2013

Mr Tom Nies  
New England Fisheries Management Council  
50 Water Street  
Newburyport, MA 01950



Dear Tom,

My name is Captain Rick Foley and I run Rebecca Lee Charters from Humarock MA. I am a small scale charter business and while it is not my main source of income I do rely upon the additional income to help make ends meet. (My good paying manufacturing job was sent to China in 2006). I am writing this to oppose the creation of the SERA II on Stellwagen Bank. I strongly oppose the proposed changes to the recreational / charter regulations in the Western Gulf of Maine and therefore support Alternative 1, No Action.

Additional closed areas for the charter / party and recreational fleet that operate from the South Shore to the Cape will create further financial hardships as we will have to travel yet further, thus further increasing costs and reducing clients actual fishing times. As it is, in the last 2 years we have added 7 to 10 miles each way to compensate for the lack of fish on the western edge of the bank since catch share management opened that area to the large draggers that just hammer the area all winter and spring. It boggles my mind that NEMFC has allowed this and that the charter / party and recreational group is not allowed to take 1 fish from that area during that time. With the current regulations, one of these large draggers can take the equivalent of 100 or more full limit recreational trips in a 24 hour period.

I would like to thank you for your attendance and participation in the SBCBA meeting in Brant Rock in September. At that meeting you commented that there was no specific plan nor any money budgeted for research in the proposed closed area, and that there was a "sunset" clause that would reopen the area if there was no research done within a 2 year period. I think we all know that one of the well-financed environmental groups will come in just in time to meet the legal requirement to perpetuate the closure and push for further expansion of the area. I would also suggest to you that significant research relative to fish stocks and rebuilding has already been done in this geographical location over the last 10 to 15 years. Data is available in the form of commercial catch reports and from the VTRs that the charter fleet that fishes the area has provided.

In summary, I strongly support Alternative 1, No Action. Further closures will have tremendous negative economic impact on all the local businesses that get so much of their revenue from the South Shores Charter / party and recreational angling community. It should also be noted that this will cause many of the local owner operators to lose their main source of income and be left with valueless boats. They will be forced to "start over" and find a new way to support their families. For me personally, I may not renew my Captains license when it comes due in 2014. My short stint as a charter boat captain has certainly opened my eyes to the complexity and politics of the whole fisheries management system.

Thank You for Your Consideration,

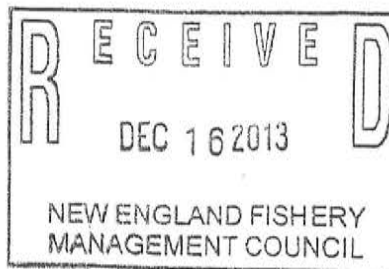
Captain Rick Foley  
Charter Boat "Rebecca Lee" Humarock, MA  
[Rfoley9391@hotmail.com](mailto:Rfoley9391@hotmail.com)

*cc: Council, AA, MFC, JLC (1/3)*





Mr. Tom Niles  
New England Fishery Management Council  
50 West St.  
Newburyport Ma. 01950



Re: Proposed SERA II, Stellwagen Bank Sanctuary Ecological Research Area

Dear Mr. Niles,

My Name is Mike Connolly. I operate/manage Green Harbor Marina in Marshfield Ma. I sit on the Board of Directors of the Massachusetts Marine Trades Association, (MMTA) the Marine and Environmental Education Alliance (MEEA) and the Motoring Technical Training Institute Advisement Committee. (MTTI)

I am writing to you to express my thoughts in regards to the proposed habitat protection measures being considered by the NEFMC. No one loves the wild and the appreciates the beauty of our planet more than I. The ocean and the species who call it home are extremely important on so many accounts. It is with our community's best interest in mind, that I *strongly oppose closing the proposed 55 square mile "reference area" from charter/party, recreational fisherman, and lobsterman.* On the heels of "The Great Recession" it would be **economically irresponsible** for anyone to consider risking the livelihood of so many fishermen who make their living in and around this exact location. The repercussions of a closing/restriction of this type would surely extend deep into every coastal business in the Commonwealth. **Jobs will be lost** in all facets of coastal businesses. The business model I have now has changed as we try to dig out of the recession here on the coast. Fishermen, are the most important customers for coastal businesses. The boating industry was one of the hardest hit industries during the "Great Recession". Thirty five percent of boat dealers and manufactures have gone out of business. The recreational boater coming into boating, who does not fish, has all but disappeared as the "Baby Boomer" generation reaches the later stages of life. Our industry needs all the help we can get, so please, I urge you, not another blow to our industry as we try to get back on our feet.

**Please vote Alternative No. 1, No Action**

Thank you for your understanding,

Sincerely,

Mike Connolly

Green Harbor Marina

mike@greenharbormarina.com

781-837-1181

W. AA, MB Council (12/20)

