

December 18, 2013

Mr. John K. Bullard, Regional Administrator
NMFS, NERO
55 Great Republic Drive
Gloucester, MA 01930

Dear Mr. Bullard,

Please accept these comments on the draft SBRM. I work part time for Wallace and Associates, who represent numerous surfclam and ocean quahog fishing vessels and processors. Prior to joining Wallace and Associates I was the Senior Ecologist for the Mid-Atlantic Fishery Management Council (MAFMC) where I worked for 30 years. I was the senior clam staffer from the late 1980s until 2012. I wish to comment on the draft omnibus amendment to all the fishery management plans of the New England and Mid-Atlantic Councils that was noticed in the *Federal Register* on November 19, 2013.

The surfclam and ocean quahog fisheries are extremely clean, as evidenced by the NEFSC clam survey species listing in Table 34 of the MAFMC Amendment 13. Surfclams and ocean quahogs comprise well over 80% of the total catch from the survey with no fish caught by the survey dredge. Only sea scallops, representing other commercially desirable invertebrates were caught at around one-half of one percent by the survey dredge. Commercial clam operations are certainly even cleaner than the scientific surveys (which have liners in the dredges) as all animate and inanimate objects except for surfclams and ocean quahogs are discarded quickly before the clam resource in place in the cages. Processors want only clams and reduce their payments to the boats if "things" other than surfclams or ocean quahogs are in the cages.

Clam Amendment 13 also addressed interactions with marine mammals and sea turtles. Since the start of my interaction with the clam fishery in the early 1980s, I have never heard of an interaction between commercial clam operations and marine mammals or turtles. While marine mammals may occur near surfclam and ocean quahog beds, it is highly unlikely any significant conflict would exist. Commercial clam dredging vessels dredge at very slow speeds and healthy animals should have no difficulty avoiding these vessels. Additionally, surfclam and ocean quahogs are benthic organisms, while marine mammals and marine turtles are pelagic and spend nearly all of their time up in the water column or near the surface. The realized reduction in the number of fishing vessels resulting from the implementation of the ITQ program reduced the potential for the interaction with endangered species from a minimal to a very minimal level.

This draft omnibus amendment is designed to prioritize the allocation of sampling effort. Only a small fraction (about 105 days based on 2012 sea days needed) of effort appears devoted to the clam fisheries. However, I wonder if with the projected very large shortfall in the number of days available, if it might warrant the exclusion of these two fisheries in order to develop more statistically valid data for other fisheries where bycatch and marine mammals and turtle interactions do occur.

Thank you for your consideration of these comments. Should there be any questions, I can readily be reached through this email address or by phone (215-536-3543).

Sincerely,

Thomas B. Hoff Ph.D.