

Correspondence

New Bedford Seafood Consulting



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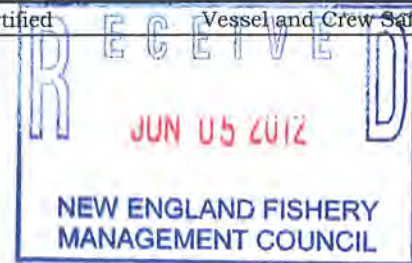


Fisheries Management

Seafood Quality Control Assurance - HACCP Certified

Vessel and Crew Safety

Captain Paul Howard, Executive Director
Mr. Rip Cunningham, Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950



June 3, 2012

Gentlemen,

I would like to request that this letter be distributed to the Groundfish Committee members, Groundfish PDT members, Council members, & appropriate staff for consideration as a method for alleviating the consequences resulting from the recently announced Yellowtail Flounder (YTF) allocations.

These consequences will inevitably terminate the fishing year for many, if not all, of the New England groundfish fisheries that have the likelihood of taking YTF as either a directed fishery, or as a bycatch species. While the allocated amount of YTF quota to the US fishermen remains strongly in question, the dire nature of the resulting consequences, are not. Already there are groundfish fishermen who are being constrained in their fishing efforts, or even the ability to make further trips, for their directed species, due to the lack of sufficient quota to meet the estimated amounts of YTF bycatch that will be attributed to them.

Above & beyond the long term impacts to fishermen, resulting from the dramatically lower YTF allocation, are the concerns that we must address the immediacy of those impending impacts in dramatically different ways. Perhaps the most problematic issue, for many groundfish fishermen, is the sub-ACL that was allocated to the scallop fishery for their 2012 fishing year. This, coming at a time when the ACL for the groundfish fishery was severely reduced, is causing alarm that while they are suffering due to those reductions, some of them feel that the scallop fishermen are getting more than they seemingly require.

In the interest of brevity, let me put forward the outline of a concept that I feel deserves consideration for an action that could be adopted for immediate implementation through a Secretarial Emergency Interim Action. If it does meet enough acceptance for consideration, I expect that the appropriate measures would be developed to protect the future interests of the scallop fishermen & their industry! Many scallopers have already proposed similar considerations in an attempt to lessen the impact, to groundfishermen, that we all know will be forthcoming due to the reduced ACL for YTF. Such a compassionate reaction must not come back to harm them by future developments or measures.

As I stated to the YTF working group committee on May 23, & to the Groundfish committee on May 30, 2012, these are my thoughts on how we might deal with this issue. I have discussed them with quite a few members of both fisheries & industry, & while they have expressed agreement or interest of the concept, I am speaking for myself, & not as a representative of any particular group or organization at the moment.

I believe that YTF, at least at this point in time, are of minimal value to the scallop industry as a targeted viable product. They are a necessity to them however, in order to account for bycatch limits which are a part of their FMP. The scallop industry has taken great effort to reduce their YTF bycatch, & all other forms of bycatch with great results, & they continue to do so.

If industry has to wait until some point later in the fishing year to supplement the Groundfish Industry's ACL with any unused portion from the scallopers, it will be too late! I suggest that 100MT of the scallopers current sub-ACL be accounted for as the scallopers' YTF bycatch, & that the remaining 207MT be reallocated to the groundfish fleet. This in turn would provide some much needed increase in their ACL to be utilized by both the directed YTF vessels, & as critical bycatch for others.

At that point, YTF would become a "zero-retention species" for scallopers. They would neither retain it nor have it counted against them as a bycatch, thus relieving the need for AMs for the foreseeable future (at a minimum for the duration of the Secretarial Action period).

Zero-retention is already an approved & adopted method utilized in Amendment 16, & elsewhere in various fisheries both here, & in fishery regions throughout the US. Here in the Northeast, we have these regulations in place for; Atlantic wolffish, SNE winter flounder, windowpane, & ocean pout.

I really believe that this would offer some relief to the fishermen, while not causing any additional jeopardy to the YTF stock. This would allow us additional time to review the questions that have been raised by some of the most recent stock surveys, & the resulting reductions in ACLs.

As I stated previously, this is admittedly only a concept which if it meets approval, would only be the beginning of the final plan. However, I believe it would meet the requirements of the Magnuson Act, while affording some relief & protection to both the fishermen as well as the stock.

Thank you for your consideration.

Jim Kendall
New Bedford Seafood Consulting