



New England Fishery Management Council ***News Release***

FOR IMMEDIATE RELEASE
February 9, 2005

Patricia M. Fiorelli
978.465.0492

NE Fishery Council Suspends Scallop Rule

Voting unanimously to support the recommendation of its Sea Scallop Committee, the New England Fishery Management Council voted last week to suspend a regulation that reduces the catch of scallops on trips cut short by weather or other factors. The current rule allows a vessel to retake a "broken trip" for any reason, but reduces the amount of allowed catch on the makeup trip as a disincentive to discourage abuse of a potential enforcement loophole.

The action taken on February 1 follows the *Northern Edge* incident, a tragedy in which a New Bedford scallop vessel sank on December 20, 2004 with five hands on board while fishing in a scallop special access area about 40 miles south of Nantucket.

"The Council is taking this action to be risk-averse in matters of personal health and safety at sea," explained Council Chairman Frank Blount. "There is a widespread perception in the industry that the scallop regulations lead to unsafe fishing practices."

In place of ongoing debates about blame, Chairman Blount urged a constructive dialogue with fishermen, proposing a series of port meetings to better understand the factors that affect decision-making at sea. He added, "The Council will not compromise its conservation program, but we hope to initiate frank discussions as we re-examine our management strategies with respect to safety."

Veteran fishermen on the Council agreed and spearheaded a unanimous second vote to establish a Safety Committee to reassess all of the Council's fishery management plans to ensure they do not, to the extent practicable, contain rules that could have unintended consequences.

The U.S. Coast Guard provided further details about the sinking at the Council meeting. According to a detailed account, the *Northern Edge* was on a compensation or replacement trip at the time of the sinking, contrary to widespread reports that the vessel was trying to avoid a broken trip scenario.

Although its investigation is ongoing, facts released to date do not link the accident to scallop fishing regulations. The text of the Coast Guard report states:

The weather conditions at the time of this casualty are consistent with typical New England winter weather, and other fishing vessels were out fishing at the time of the casualty. According to the statement of the lone survivor, the risk of changing weather did motivate the crew to work hard to finish the trip in advance of the future weather forecast.

No evidence has presently been discovered indicating that current fishery regulations played a role in the decisions made or actions taken by the captain and crew of the *Northern Edge* prior to the sinking of the vessel on December 20, 2004. They were on their fourth day of an eight-day fishery during a compensation trip.

The Council's proposed suspension of the rule will be submitted to NOAA Fisheries Service for review and final approval, a process that usually takes several months. Pending that approval, there will be no charge, in terms of either scallops or time, for interrupting a trip into the special access areas.

#