



CAPE COD COMMERCIAL HOOK FISHERMEN'S ASSOCIATION, Inc.  
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Sally McGee, Chair  
Scallop Oversight Committee  
New England Fishery Management Council  
50 Water Street  
Newburyport, MA 01950

October 23, 2009

Dear Ms. McGee,

I am writing to you regarding much-needed changes to the General Category scallop fishery's existing leasing provisions which are unworkable for the participating small-boat fishermen. Specifically:

1. Allocation left General Category fishermen in a position where all must buy and/or lease the quota they need to support their business.
2. IFQ permits are permanently bound to all limited access permits on a vessel, so buying IFQ allocations is prohibitively expensive for most independent fishermen.
3. Current regulations only allow permit-holders to lease entire IFQ allocations *and* only before either party harvest any portion of their allocation.
4. These rules simply do not allow active fishermen the flexibility to use the leasing program to support their businesses and will lead to the stranding valuable fishing opportunities.

Recently, Council members attended a workshop on the design of catch-shares programs, including the need to balance transferability with safeguards against over-consolidation. However, the GC IFQ program has low ownership and harvesting caps. With those in place, the fishery *needs* to allow fishermen flexibility in leasing. Therefore, we propose the Council adopt the following leasing provisions in Framework 21:

1. Allow the leasing of partial allocations (in amounts equal to or greater than 100 lbs.)
2. Allow leasing throughout the fishing year with existing applications and protocols.

At this time, the National Marine Fisheries Service accurately tracks days-at-sea (DAS) leasing activity in the Northeast Multispecies fishery during the fishing year, and these DAS are tradable in any denomination. We believe that NMFS should allow the small-boat scallop fishery the same flexibility. These straightforward changes should be made in Framework 21 to ensure fishermen reap the benefits as soon as possible.

Thank you for your consideration of this important matter.

Sincerely,

Susan Nickerson