

#4



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: November 15, 2013
TO: Council
FROM: Tom Nies, Executive Director
SUBJECT: **2014 Management Priorities**

1. The attached documents are provided to help the Council determine 2014 Council priorities.
 - a. The first attachment lists all possible tasks that have been identified. Tasks are listed by FMP, with tasks that are expected to be completed by the end of the year in the first column and multi-year tasks in the second column. Committee recommendations (if available) are identified with a checkmark. Executive Committee recommendations are also marked with a checkmark. Tasks that are not recommended by the Executive Committee recommend are also in italics. This list includes major staff tasks that are expected.
 - b. The tasks are sorted into two columns, annual and multi-year. While the Executive Committee will further discuss the priority-setting process in 2014, the expectation is that identified multi-year tasks will be pursued until completed.
 - c. The second attachment groups tasks into likely management actions. This is intended to show how each task could be addressed by the Council and its plan development teams. This is only an illustration; the Council may later decide on different groupings.
 - d. Staff reassignments may be considered once the Council priorities are identified. I do not anticipate changing any plan coordinators this year.
2. While there will be discussion on each of the possible tasks, some of the more difficult issues are discussed below.

Groundfish

3. The Groundfish Committee expressed an interest in exploring alternative catch setting approaches, a topic that will probably take more than a year to complete and that will need significant support from the NEFSC. Should this be pursued the Council will need to recognize that the ability for staff to respond to short-notice tasks will be very limited. The Executive

Committee did not adopt all of the Groundfish Committee recommendations in order to reduce the Council and staff workload so that adequate time was available to address this issue.

4. Recent developments on the trading of quota between the U.S. and Canada led the Executive Committee to question whether it is worthwhile to pursue a trading mechanism amendment. Further discussion on this issue is likely to occur at the Groundfish Committee meeting on November 18 and 19.

5. The Executive Committee also does not recommend actively pursuing cod stock structure issues this year. While it is listed as a priority, it would be pursued as time permits. Discussions will continue with the NEFSC on how this might be advanced.

Scallops

6. The Executive Committee recommendations were prepared before the Scallop Committee met to discuss priorities. One of the scallop issues is closely linked to the Omnibus Habitat Amendment 2 (OHA 2); see the discussion that follows.

Herring

7. One of the issues with respect to herring priorities relates to the industry-funded monitoring provisions that were proposed in Amendment 5 but not approved. NERO has offered to take the lead on an omnibus amendment that would create a mechanism for industry-funded observers across all fisheries, and suggested addressing the herring Amendment 5 industry-funded observer issues in this same action. The Executive Committee supports this approach but recommends the Council may want to discuss this issue.

8. After the Executive Committee meeting correspondence was received suggesting an additional herring priority: to lift the Management Area 1A closure from January through April, this suggestion was considered by the Herring Committee but not recommended.

Omnibus Habitat Amendment 2 (OHA2)/Scallop Management Actions

9. In part due to additional delays caused by the federal shutdown, the Council will not be able to make final decisions on OHA2 until the June 2014 Council meeting. This pushes back the likely implementation date of OHA2 measures to February 2015, at the earliest. This timeline assumes a smooth submission and review of the amendment. There has long been an interest within the scallop industry to access any areas that may be opened as a result of OHA2 as quickly as possible during FY 2014. Given the late implementation date of OHA2 that does not seem probable – at best any new areas could be open only three weeks of the fishing year.

10. It will not be possible for meaningful work on new scallop access areas to begin before the end of June, 2014. Several key scallop PDT members will be working on the scallop assessment and the scallop survey review through June 2014. The assessment results could affect future scallop specifications. The target ACT for scallops is also dependent on the areas that are open to scallop fishing.

11. Ideally, the opening of any new areas to mobile gear as a result of OHA2 should be closely coordinated with the scallop FMP so that newly designed scallop access areas are implemented at the same time as any new habitat management areas. It would be difficult for the scallop PDT to design revised scallop access area management measures until the new habitat management areas are known. To avoid misdirected use of staff resources these areas should be developed after NERO has made a final determination on the OHA2 proposed areas, but this would push back implementation of any new scallop access areas to fall 2015. The Executive Committee recommends an alternative approach that would start development of new access areas once the Council selects a proposed action for OHA2. These new areas would then be adopted through the same framework that sets the FY 2015 specifications. New access areas would be implemented in early summer, 2015 (May or June).

12. As part of this discussion it may also make sense to consider implementing the OHA2 measures and the revised scallop access areas at the same time (roughly May 2015). While this is not strictly a priorities issue it might influence the Council's priority decisions. In any case, the OHA2 document should clearly state how changes to habitat areas will be implemented. Staff will remind the Council of this recommendation when the draft document is approved in December.

Monitoring/ Electronic Monitoring (EM)

13. On attachment (1) I've highlighted in yellow several tasks that address fishery dependent monitoring issues, including EM. The two main FMP-specific issues include facilitating EM for groundfish sectors (a groundfish-specific project begun in 2013), and addressing industry-funded at-sea monitoring issues for the groundfish and herring fisheries (relevant measures in groundfish FW 48 and herring A5 were disapproved). NERO already proposed an omnibus amendment to address industry-funded at-sea monitoring issues and suggested including the herring measures in that document. In a related effort, NERO and the NEFSC have initiated a broad-based effort to improve fishery dependent data collection. There are also several EM initiatives that are taking place at the regional and national levels.

14. The Executive Committee discussed whether it would be more efficient to combine the Council's efforts on these tasks; doing so may slow the adoption of EM or other monitoring changes within specific FMPs (such as EM for groundfish sectors in FY 2014). If the efforts are not combined or coordinated, though, the result may be a fragmented approach.

Whiting

15. Whiting specifications must be identified for FY 2015 and beyond. The whiting fishery will probably be interested in revisiting the small-mesh fishery GB yellowtail flounder AM that will be adopted by FW 51. There has long been an interest in implementing a limited access program in the whiting fishery, an effort that has been started and stalled several times. The Council should commit to this effort, which may take more than one year to complete.

EBFM

16. The Executive Committee discussed providing initial guidance to this Committee on how to proceed if EBFM is adopted as a Council priority. Initial efforts of the Committee should address

coordination of EBFM with the MAFMC and the ASMFC. The Chair has identified two seats for the MAFMC on the EBFM Committee, and appointed two state directors to facilitate coordination.

Timing

17. Council members should recognize that progress will not be simultaneous on all of the identified tasks. For example, progress on EBFM and whiting actions will be slow until the draft OHA 2 document is submitted; the coral amendment will not be pursued until that action is completed; new groundfish actions will not be pursued until FW 51 is submitted. In addition, required regulatory tasks may take precedence over multi-year tasks.

Attachments: (1) 2014 Priorities Task List
(2) Example grouping of tasks and actions

11/15/2013	UNDERLINE: REGULATORY REQUIREMENT				<i>Italics: Not Recommended by Ex Comm</i>			
FMP								
	Annual	Comm.	ExCom	Council	Multi-Year	Comm.	ExCom	Council
Groundfish								
	<u>Set specs for WFL, pollock stocks (and perhaps others)</u>	✓	✓		Continue to coordinate action on the Habitat Omnibus Amendment to include possible modifications of the Groundfish closed areas.	✓	✓	
	<u>Set specs for US/CA stocks for 2015</u>	✓	✓		Continue Amendment 18 to consider fleet diversity and accumulation caps.	✓	✓	
	Consider changes to spawning closures	✓	✓		Develop alternative strategies for setting catch advice for stability in ACLs	✓	✓	
	EM and full retention	✓	✓		Consider trading of quota under US/CA Understanding/TMGC	✓	?	
	<i>Revisit MA exemption area eastern boundary (New, October 2013)</i>				<i>ACE Trading between scallop/groundfish fisheries</i>	✓		
	Staff: TMGC/TRAC		✓		Staff: Cod Stock Structure Workshop		✓	
	Staff: EM Working Group		✓					
	Staff: 2014 Assessment Updates		✓					
Monkfish								
					Continue Monkfish Amendment 6 for modifications to DAS program (including leasing) and catch shares (sectors and IFQs).		✓	
	Staff: Research Set Aside		✓					

FMP	Annual	Comm.	ExCom	Council	Multi-Year	Comm.	ExCom	Council
Sea Scallops								
	Prepare a framework to set FY 2015-2016 specifications (i.e. setting DAS, access area trips, Northern GOM TAC, limited access general category IFQ allocations).	✓	✓		Modify scallop access areas to be consistent with OA2 revised areas	✓	✓	
	NGOM Management Area Measures for Limited Access Vessels				Consider modifying the small dredge exemption program.			
	Measure to address 5% allocation versus % of actual catch for LAGC fishery (specifically expand current disclaimer to include LAGC fishery as well that allows catch above ACL if updated projection of F lower);				Amendment 17 - Coordinate action with Groundfish Cte to develop strategies to manage YT flounder bycatch under the Scallop FMP. This action would focus on YT initially, but could be expanded to other bycatch species if needed.			
	Staff: Research Set Aside		✓		Revise funding source for scallop observers			
	Staff: Scallop survey review		✓		Staff: Support and analyses for Habitat Omnibus Amendment in terms of potential impacts of new EFH measures on scallop fishery		✓	
	Staff: Scallop benchmark assessment		✓					
	Staff: Annual catch monitoring		✓					
	Staff: LAGC IFQ performance review		✓					
Herring								
	Action to address disapproved A5 issues (dealer reporting, slippage)	✓	✓		Prepare an amendment to consider river herring/shad as stocks in the fishery (TBD)			
	Review ABC control rules				MAFMC River Herring/Shad Management Coordination		✓	
	Industry-funded monitoring issues	✓	✓					
	Staff: Prepare paper on RH/S stocks in the fishery issue		✓					
SBRM								
	No Action Planned		✓					
	Staff: Input on SBRM final amendment document		✓					

FMP	Annual	Comm.	ExCom	Council	Multi-Year	Comm.	ExCom	Council
Red Crab								
	<i>Consider allowing landing of female red crab and modify specs accordingly</i>							
Habitat								
	Continue Omnibus Deep-Sea Coral Amendment with range of alternatives already approved as part of the Omnibus EFH Amendment 2 process (as time and resources permit)		✓		Continue Omnibus Habitat Amendment (expected implementation 2015)		✓	
	Staff: Habitat impacts of other management actions		✓					
	Staff: SBNMS Advisory Committee		✓					
Research Steering								
	Continue to steer research to support NEFMC plans.		✓					
	Collaborative Research Project		✓					
SSC								
	Support SSC activities		✓					
Enforcement, Safety, VMS								
	Continue to support enforcement, safety and VMS issues.		✓					
Whiting								
	<u>Set specs for 2015 through 2017 pending stock assessment update (date in 2014 for assessment yet to be determined)</u>		✓		Prepare an Amendment for limited access/catch shares to the whiting fishery and other issues: groundfish AMs,		✓	
	Consider GB YTF AM changes		✓					
Skates								
	<u>Action to end overfishing on thorny, winter skates</u>	✓	✓		<i>Prepare an amendment to consider limited access in the skate fishery</i>	✓		
	Staff: Annual monitoring report		✓					

FMP	Annual	Comm.	ExCom	Council	Multi-Year	Comm.	ExCom	Council
EBFM					Prepare Ecosystem Based Fisheries Management Plan.		✓	
Hagfish					<i>Prepare new Hagfish FMP</i>			
Vessel Baseline Amendment								
	Prepare Amendment to respond to NRCC working group recommendations to simplify vessel baseline, upgrade, and replacement restrictions. [NMFS lead – Advance Notice of Proposed Rulemaking published on October 5, 2011]		✓					
Other								
	Develop a strategy including goals and objectives, issues and recommendations to improve monitoring in all FMPs.		✓		Fishery dependent data (NERO lead)		✓	
	Risk Policy Working Group (ABCCRWG)		✓		<i>Omnibus Permit Splitting Amendment</i>	✓		
	EM Working Group		✓					
	NRCC SAW Working Group Participation		✓					
	Staff: NEFSC Assessment Models Review		✓					
	US/CA Steering Committee		✓					
	Staff: Protected Species issues		✓					
	Executive Committee review/revise priority setting process		✓					
	Climate Change Workshop with ASMFC and MAFMC		✓					
	Omnibus Industry Funded Monitoring Amendment (NERO lead)		✓					

11/15/2013 Grouping								
FMP								
	Annual	Comm.	ExCom	Council	Multi-Year	Comm.	ExCom	Council
Groundfish								
	Framework Set specs for WFL, pollock, other US/CA quotas Spawning closure changes Full retention and EM		✓		Continue to coordinate action on the Habitat Omnibus Amendment to include possible modifications of the Groundfish closed areas.		✓	
					Continue Amendment 18			
					US/CA quota trading amendment		?	
					Alternative catch strategies		✓	
Monkfish								
					Continue Monkfish Amendment 6 for modifications to DAS program (including leasing) and catch shares (sectors and IFQs).		✓	
Sea Scallops								
	Framework to set FY 2015-2016 specifications (i.e. setting DAS, access area trips, Northern GOM TAC, limited access general category IFQ allocations, potential modification of scallop access area boundaries, etc.).	✓	✓		Support and analyses for Habitat Omnibus Amendment in terms of potential impacts of new EFH measures on scallop fishery	✓	✓	
					Framework Modify scallop access areas to be consistent with OA2 revised areas		✓	
Herring								
	Action to address disapproved A5 issues (dealer reporting, slippage)	✓	✓		MAFMC River Herring/Shad Management Coordination		✓	

FMP								
	Annual	Comm.	ExCom	Council	Multi-Year	Comm.	ExCom	Council
Habitat								
	Continue Omnibus Deep-Sea Coral Amendment with range of alternatives already approved as part of the Omnibus EFH Amendment 2 process (as time and resources permit)		✓		Continue Omnibus Habitat Amendment (expected implementation 2015)		✓	
Research Steering								
	Continue to steer research to support NEFMC plans.		✓					
SSC								
	Support SSC activities		✓					
Enforcement, Safety, VMS								
	Continue to support enforcement, safety and VMS issues.		✓					
Whiting								
	<u>FW/Specs Package</u> Set specs for 2015 through 2017 pending stock assessment update (date in 2014 for assessment yet to be determined) GB YTF AM changes		✓		Prepare an Amendment for limited access/catch shares to the whiting fishery and other issues		✓	
Skates								
	Framework <u>to end overfishing on thorny, winter skates</u>	✓	✓		<i>Prepare an amendment to consider limited access in the skate fishery</i>			

FMP								
	Annual	Comm.	ExCom	Council	Multi-Year	Comm.	ExCom	Council
EBFM								
					Amendment Prepare Ecosystem Based Fisheries Management Plan.		✓	
Other								
	Omnibus Industry Funded Monitoring Amendment (NERO lead)(to include herring industry funded monitoring requirements)		✓		Fishery dependent data, industry funded monitoring projects (NERO lead)		✓	



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E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: November 1, 2013
TO: Executive Committee
FROM: Tom Nies
SUBJECT: 2014 Management Priorities

1. The attached documents are provided to help develop Executive Committee recommendations for the 2014 Council priorities.

a. The first attachment lists all possible tasks that have been identified. Tasks are listed by FMP, with tasks that are expected to be completed by the end of the year in the first column and multi-year tasks in the second column. Committee recommendations (if available) are identified with a checkmark and my advice for Executive Committee recommendations are marked with the letter "D" (for draft). Tasks that I do not recommend are also in italics. This list includes major staff tasks that are expected.

b. The second attachment groups tasks into likely management actions. This is intended to show how each task could be addressed by the Council and its plan development teams. This is an illustration; the Council may later decide on different groupings.

c. Staff reassignments may be considered once the Council priorities are identified. I do not anticipate changing any plan coordinators this year.

2. While there will be discussion on each of the possible tasks, some of the more difficult issues are discussed below.

Groundfish

3. The Groundfish Committee expressed an interest in exploring alternative catch setting approaches, a topic that will probably take more than a year to complete and that will need significant support from the NEFSC. Should this be pursued the Council will need to recognize that the ability for staff to respond to short-notice tasks will be very limited. The Executive Committee may want to consider paring down the tasks that have been identified.

Omnibus Habitat Amendment 2 (OHA2)/Scallop Management Actions

4. In part due to additional delays caused by the federal shutdown, the Council will not be able to make final decisions on OHA2 until the June 2014 Council meeting. This pushes back the likely implementation date of OHA2 measures to February 2015, at the earliest. This timeline assumes a smooth submission and review of the amendment. There has long been an interest within the scallop industry to access any areas that may be opened as a result of OHA2 as quickly as possible during FY 2014. Given the late implementation date of OHA2 that does not seem probable – at best any new areas could be open only three weeks of the fishing year.

5. It will not be possible for meaningful work on new scallop access areas to begin before the end of June, 2014. Several key scallop PDT members will be working on the scallop assessment and the scallop survey review through June 2014. The assessment results could affect future scallop specifications. The target ACT for scallops is also dependent on the areas that are open to scallop fishing.

6. Ideally, the opening of any new areas to mobile gear as a result of OHA2 should be closely coordinated with the scallop FMP so that newly designed scallop access areas are implemented at the same time as any new habitat management areas. It would be difficult for the scallop PDT to design revised scallop access area management measures until the new habitat management areas are known. To avoid misdirected use of staff resources these areas should be developed after NERO has made a final determination on the OHA2 proposed areas, but this would push back implementation of any new scallop access areas to fall 2015. An alternative approach would start development of new access areas once the Council selects a proposed action for OHA2. These new areas would then be adopted through the same framework that sets the FY 2015 specifications. New access areas would be implemented in early summer, 2015 (May or June).

7. The Executive Committee should discuss whether it would be advantageous to have revised scallop access areas addressed in the 2015 specifications action rather than a separate framework action that would be initiated before the Council's OHA2 decisions were final. As part of this discussion it may also make sense to consider implementing the OHA2 measures and the revised scallop access areas at the same time (roughly May 2015). While this is not strictly a priorities issue it might influence the Council's priority decisions.

Monitoring/ Electronic Monitoring (EM)

8. On attachment (1) I've highlighted in yellow several tasks that address fishery dependent monitoring issues, including EM. The two main FMP-specific issues include facilitating EM for groundfish sectors (a groundfish-specific project begun in 2013), and addressing industry-funded at-sea monitoring issues for the groundfish and herring fisheries (relevant measures in groundfish FW 48 and herring A5 were disapproved). NERO already proposed an omnibus amendment to address industry-funded at-sea monitoring issues and suggested including the herring measures in that document. In a related effort, NERO and the NEFSC have initiated a broad-based effort to improve fishery dependent data collection. There are also several EM initiatives that are taking place at the regional and national levels.

9. The Executive Committee may want to discuss whether it would be more efficient to combine the Council's efforts on these tasks; doing so may slow the adoption of EM or other monitoring

changes within specific FMPs (such as EM for groundfish sectors in FY 2014). If the efforts are not combined or coordinated, though, the result may be a fragmented approach.

Whiting

10. Whiting specifications must be identified for FY 2015 and beyond. The whiting fishery will probably be interested in revisiting the small-mesh fishery GB yellowtail flounder AM that will be adopted by FW 51. There has long been an interest in implementing a limited access program in the whiting fishery, an effort that has been started and stalled several times. The Council should commit to this effort, which may take more than one year to complete.

EBFM

11. As mentioned in my earlier memo to the Executive Committee my recommendation is that any Council effort to pursue EBFM should be coordinated with the MAFMC and the ASMFC. The Chair has identified two seats for the MAFMC on the EBFM Committee. The Executive Committee may want to discuss providing initial guidance to this Committee on how to proceed if EBFM is adopted as a Council priority.

Attachments: (1) 2014 Priorities Task List
(2) Example grouping of tasks and actions



New England Fishery Management Council

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Ernest F. Stockwell III, *Acting Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: September 20, 2013
TO: Council
FROM: Tom Nies
SUBJECT: 2014 Council Priorities

1. Council priorities for 2014 will be introduced at the September Council meeting, with the decisions taking place at the November meeting. The attached documents summarize the status of the approved 2013 priorities and list potential items for 2014 (enclosures 1 through 3). This memo updates information provided to the Executive Committee in a memo dated August 26, 2013. The Groundfish, Scallop, Herring, and Skate Committees met after the Executive Committee meeting and the list has been updated to include priorities identified by the Committees. The major changes reflected in the attachments are:

- The Groundfish Committee identified several additional possible priorities that have been added to the list.
- Skate priorities have been adjusted to include the requirement to end overfishing on thorny and winter skates.
- A possible omnibus amendment to address industry-funded monitoring issues was added based on a presentation that will be delivered at the Council meeting.
- The Executive Committee added a review of the priority setting process to address issues raised in my August 26, 2013 letter.
- Several additional staff responsibilities have been added.

2. Even a cursory review of the attached list indicates that the possible tasks exceed our resources. There are several possible priorities (EBFM, alternative groundfish catch setting strategies, industry-funded monitoring amendment) that will take an extended effort and should the Council pursue these priorities it should recognize this will reduce the short-term issues that can be addressed.

3. The Executive Committee has not yet identified a strawman priorities list. Some Committees (Herring, Groundfish) have recommended which tasks to pursue; these decisions have not yet been incorporated into these lists.

Enclosures:

- (1) Status of 2013 priorities
- (2) 2014 Draft Priority Tasks
- (3) 2014 Overview



New England Fishery Management Council

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Ernest F. Stockwell III, *Acting Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: August 26, 2013
TO: Executive Committee
FROM: Tom Nies
SUBJECT: 2014 Council Priorities

1. Council priorities for 2014 will be introduced at the September Council meeting, with the decisions taking place at the November meeting. The attached documents summarize the status of the approved 2013 priorities and list potential items for 2014 (enclosures 1 through 3). Several Committees have yet to discuss next year's priorities, so this list will probably change after the input is received. While the Executive Committee may not want to develop recommendations until all of the Committee input is received, some discussion may help identify issues that need more attention before the September meeting. I am still working on the best way to present this information to the Council.

2. One issue that may benefit from Executive Committee and Council discussion is the approach to Ecosystem-Based Fishery Management. For the 2012 priorities a three-phased approach was identified that would move the Council to three FMPs, one for each of three Ecosystem Production Units (EPUs). Work on Phase I of this approach was started in 2012 but postponed in early spring of that year. It is not clear that this approach is consistent with that planned by the MAFMC or ASMFC, and there may be a need to coordinate an EBFM approach with the other regulatory bodies in the region.

3. The Council's approach to priorities has been as an annual exercise. This tends to focus attention on immediate, short-term issues at the expense of a strategic approach. I recommend that during 2014 the Executive Committee consider development of a new approach to priorities that takes a longer view. Some ideas that could be explored include:

- Develop the Council's mid-term (i.e. 2-3 year) goals and give precedence to Committee priorities that advance those objectives. This is not another visioning project; rather, it would identify concepts the Council believes need to be pursued to improve management in the long-term.
- Ask Committees to plan activities for two years, with the understanding the second year is tentative and subject to change.
- Specifically identify multi-year actions when first adopted and require a 2/3 vote to stop work on that priority in a subsequent year.
- Require a 2/3 Council vote to add or remove a priority mid-year, or to significantly alter an existing action. This would require some thought to develop guidelines on the type of changes needed to trigger this requirement.

GROUND FISH PRIORITIES

NORTHEAST SEAFOOD COALITION

October 31, 2013

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



Dear Terry:

Our members deeply appreciate all of the initiatives the Council has advanced over the past year to mitigate the ongoing economic disaster affecting the groundfish fishery. Regrettably, many of these initiatives have been rejected or rendered ineffective by NMFS. Consequently, the intensity and immediacy of this disaster has only increased over the course of this fishing year.

With this in mind, it is our view that the Council should adopt a set of groundfish management priorities for 2014 that are strictly limited to those which will serve to mitigate the immediate economic impacts of the disaster declared by the Secretary of Commerce in September 2012. In our view, this would include, among other priorities, the development of alternative management strategies such as those described in our letter to you dated August 30, 2013 (see enclosure).

Our comments should not be misconstrued to imply NSC recommends the Council set aside conservation measures designed to prevent or end overfishing as we continue to comply with the ACL and AM requirements of the Magnuson Act. NSC continues to support management that limits fishing to sustainable levels. However, this is not the time to close areas that have never been closed or to pretend that we can socially engineer a fishery that is in economic collapse as a result of ACL reductions. This is a time when long term goals should be deferred and our collective resources and priorities should be focused on stabilizing the current disaster.

In our view, actions that are appropriate for postponement would include, among others, the juvenile habitat and spawning area closures under development by the Council for the Omnibus Essential Fish Habitat Amendment 2. As noted in NSC's letter to the Council dated September 3, 2013 (see enclosure), these measures under development have not only been offered late in the process, but also propose additional economic hardships on already struggling fleet. In fact, the Bigelow Bight and Northern Edge alternatives emerging from the juvenile habitat and spawning area closures under development may well undermine those actions already taken by the Council that do provide such mitigation. In contrast, there may be elements of the Omnibus Habitat Amendment that would serve to mitigate the disaster and should be included among the Council's 2014 priorities.

Once again, the net result of groundfish management over the course of this year has not improved the likelihood of survival for our groundfish fishery and the situation continues to deteriorate. We believe the Council can turn this around in 2014, provided its priorities are properly defined and its limited resources for groundfish management are fully applied to mitigate the immediate economic impacts of this disaster.

Thank you for your consideration and leadership,



Jackie Odell
Executive Director

cc: Council Members & staff



August 30, 2013

Terry Stockwell, Chairman
Groundfish Oversight Committee
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Re: New England Fishery Management Council Priorities

Dear Terry:

On behalf of our members whose businesses rely upon a sustainable and stable groundfish fishery, the NSC strongly requests that the Groundfish Oversight Committee recommend to the New England Fishery Management Council for inclusion in the Council's future priorities that alternative management approaches for setting catch advice be explored, analyzed and considered for stocks managed under the groundfish fishery management plan. Such strategies should be considered as an alternative for managers who have relied solely upon the existing stock assessment models which, for many stocks, have proven over the past ten years to yield wildly fluctuating if not unreliable results. This has rendered both the business and management of the groundfish fishery virtually impossible.

NSC strongly believes that the time for exploring alternative management approaches is now. The groundfish fishery, which is now only four months away from the original 2014 rebuilding targets, is already in a state of disaster.

NSC looks forward to working with your Committee and the Council on this important endeavor to achieve sustainability and stability in the groundfish fishery.

Thank you in advance for your consideration.

Sincerely,

Jackie Odell
Executive Director

Cc: Tom Nies, Executive Director, New England Fishery Management Council
Jamie Cournane, Groundfish Plan Coordinator, New England Fishery Management Council



September 3, 2013

Dave Preble, Chairman
Habitat Committee
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Terry Stockwell, Chairman
Groundfish Oversight Committee
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Dear Dave and Terry:

On behalf of our members, the Northeast Seafood Coalition (NSC) has actively participated in the New England Fishery Management Council (Council) process surrounding the Habitat Omnibus Amendment for several years. The NSC has actively worked with other industry organizations and stakeholders to redesign options to achieve habitat goals without creating adverse and largely unnecessary economic impacts on an already fragile groundfish fishing fleet. Aside from the newly designed options proposed by the Closed Area Technical Team (CATT), many of the options in the document today are based upon extensive discussions and considerable time invested by a diverse group of stakeholders who have a keen interest in making this management action successful.

While the Habitat Omnibus Amendment has been under development over the past five years, the NSC has held focus meetings with various segments of our membership and others. Generally, these meetings were designed to accomplish two primary goals. The first was to provide members with an updated version of alternatives for respective areas, which were plotted by NSC on true nautical charts that would be familiar and useful to fishermen. The second was to seek their area-specific expertise in order to consider potential impacts to fishing and to help NSC leadership by providing us with plausible compromises as the Amendment developed. These meetings often involved non-NSC members and at times, non-fishing stakeholders. These meetings largely centered on habitat areas that pre-dated the alternatives put forth by the CATT, which have only appeared in recent months.

NSC members who operate out of the Northeast Fishery Sectors have limited context on the most recent work of the CATT and how options developed by the CATT are now folded into alternatives under consideration in the Amendment. Therefore, over the summer NSC convened an internal working group, which is comprised of members of the NSC Board of Directors, the Northeast Sector Service Network, Northeast Fishery Sectors, and NSC general membership to review the alternatives approved by the Council at the June meeting held in Portland, Maine. *This internal process has been important because the CATT work has largely negated efforts put forth over the years to recommend modifications to alternatives already under consideration.*

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Per the Council's request, please find preliminary input of the NSC working group to alternatives under development by the Council's technical teams below.

General Comments:

- *Any habitat area considered for protecting spawning or juvenile fish should be developed for a future management action. First, the CATT work has appeared very late in the Amendment process. There has been inadequate time for stakeholders to participate and react to these alternatives that will impose great hardships for many fishing businesses. Second, there is serious concern with the scientific information and data being used to identify and justify such areas. Third, in many cases, the alternatives put forth by the CATT conflict with the efforts of stakeholders over the years to work closely together to craft thoughtful alternatives in the Amendment.*
- NEFMC staff should distinguish comments received during the Habitat Informational Meetings, as well as future comments received by placing comments into categories for the benefit of the Council and its committees. Comments should be differentiated depending on whether a comment is put forth by an individual member of a harvesting sector or if a comment has been submitted by an industry organization on behalf of numerous fishing stakeholders. Comments received from membership organizations should be presented to the Council in a manner that reflects the proportion of active industry participants on whose behalf the comments were submitted. The NSC working group also suggests comments should be weighted based on fishing area of the commenter. Specifically, the comments should be organized in a manner that allows the Council to determine whether an individual or organization's members have experience with or actively fish in a given area for which comments have been provided. For example, if a comment submitted by a Southern New England fisherman or group suggests an area closure in the western GOM, it should not have the same weight as a comment submitted by from a fishermen or group who actively fish in the western GOM. These may reflect two very different perspectives and the basis for these differences are important for the Council to understand. The same holds true for eastern GOM and western GOM, western GB and eastern GB etc. This context is critical to the Council's fair evaluation of the comments received.
- Existing and future spawning and seasonal closures should be closed to all gear capable of catching groundfish. For instance, disallowing commercial fishing for the purpose of protecting groundfish, promoting rebuilding and spawning while simultaneously allowing open access to these areas by the recreational fishery, which has been allocated 34% and 38% of Gulf of Maine haddock and cod stocks respectively, is wrong.
- Over the years, juvenile protection has been managed through restrictions on mesh size. Therefore, knowing exactly when and where a juvenile fish are located in a respective area will be difficult for those whose gear has been regulated by mesh size.
- The scientific data being used to identify and justify the habitat areas proposed by the CATT is highly questionable. Many believe it has not been scientifically proven that there is a valid correlation between juvenile fish and habitat types. Many also question why more consideration has not been given to the apparent correlation between the absence of mobile gear in vast areas of GOM and GB over the last two decades and the loss of groundfish productivity.

- Juvenile fish frequent waters that are less than 20 fathoms, most of which is located within state waters.
- The foot print of fishing has been significantly reduced in recent years as effort and participation in the fishery has dwindled. The significant reductions in ACL will further reduce the foot print of the groundfish fleet. The reality of this shifting baseline should be quantified and reflected each time there is a qualitative description of the proposed habitat closures and impacts. For example, if swept area and effort has shrunk to 20% of historical effort that was occurring when the existing closures went into place, this should be stated whenever a discussion about reducing the overall acreage of closures is touted. ACLs will further reduce the foot print of the groundfish fleet.
- There appears to be a conflict with Council policy on different management actions. Groundfish sectors and catch shares adopted under Amendment 16 were proclaimed to increase efficiency and thus foster economic profitability. The initial direction of the Habitat Amendment was to develop focused habitat areas, and to protect habitat on a finer scale. The newly proposed areas by the CATT are large and expansive areas, which will impose devastating economic hardships on the fleet - notably the day boat fleet. This appears to be in direct conflict with the purpose and overall intent of groundfish Sectors under Amendment 16 and will be contrary to objectives being set forth under Amendment 18.

Responses to Questions Raised by the Council under the Habitat / Groundfish Informational Interviews:

- (1) In general, per spawning, support small focused areas to protect spawning. These areas should be discrete and dynamic, not static, due to the unpredictability of timing and precise area to ensure real protection. Such areas should be based on science and monitored closely. The areas should be identified with the assistance of cooperative research and actual spawning activity should be verified. The goal of spawning areas should be to enhance the reproductive success of the fish while being the least disruptive and costly to the fishery. Early versions of NEF sector operations plans proposed exemptions that utilized sentinel vessels and dynamic temporary closure concepts. These exemptions were denied but the NSC believes this concept should be reconsidered and developed. In general, the sector tool needs to be used to provide benefits to fishermen and fishery management equally. So far, there has been much more extracted from sectors by NMFS to improve reporting frequency and compliance, data quality and real time hard TAC management and very little reciprocal benefits as were touted during the development of A16. The conversion to an output control management system was intended to remove the need for input control measures—not to layer one upon the other. Broadening, not narrowing, of access to historical fishing grounds was a fundamental feature that was to accompany sector management.
- (2) It is difficult for the industry to understand what the economic impacts will be of the alternatives when it is still unclear which existing habitat areas will or will not be opened. Furthermore, economic impacts dependent greatly on the size and range of the fishing vessel. Overall, it is clear fishermen and their respective Sectors will be heavily impacted. Especially,

those that are trapped by the options currently proposed under Bigelow Bight. Closures have huge impacts on the human response and closures have significant economic and social consequences. The NSC will work with its members to provide the Council with a more detailed description of the magnitude of the impacts from the Bigelow Bight alternatives.

- (3) Catch Shares were marketed to fishermen as an opportunity to fish efficiently. Options now being included via the Habitat Amendment are instead focused on decreasing efficiency. This is particularly notable in areas such as Georges Shoals where the largest portion of a healthy stock, Georges Bank winter flounder, are harvested. Although members support gear modifications over a closure, other elements such as the potential for lost yield of stocks needs to be weighted heavily in final decisions.
- (4) All fisheries should have adequate monitoring. This information could then be used to determine the timing and location of spawning. Furthermore, sentinel fisheries (as proposed as a Sector exemption) with a cooperative research or monitoring component could be used to determine spawning activity. We need to stop relying on NMFS trawl survey data to determine spawning events and habitat.
- (5) Furthermore, industry members question the literature review on habitat protection and fishery productivity. There is a need for focused and directed cooperative research projects that objectively evaluate gear impacts on habitat and thus future productivity of groundfish stocks. Such research could also be used to identify time periods and areas that could be temporarily closed. Any area closed should have a research, monitoring and performance plan to evaluate its effectiveness. It is essential to closely monitor and evaluate if the closure is achieving its intended purpose.

Initial Input on Habitat Alternatives under Development:

Although there is general confusion over the type and level of gear restrictions that are being considered for the areas being identified, this input is intended to provide the Council with an initial reaction to the areas being considered. The NSC working group will be meeting in the coming weeks to further discuss the alternatives as outlined in the Habitat Omnibus Amendment in more depth.

Gulf of Maine:

Eastern GOM

- NSC members do not fish in most of the habitat areas identified under Eastern GOM. Therefore, NSC wishes to defer comments to those fishermen who fish these waters.

Central GOM

- Preferred habitat option is Ammen Rock / Cashes Ledge modified EFH, Alternative 4.

Western GOM

- Preferred habitat option is Stellwagen "large" which is shown *as part* of Alternative 3. This area is based upon industry support for the work surrounding the development of SERA 2. However, the group does not support the inclusion of Bigelow Bight "large" under this alternative for the numerous reasons mentioned throughout this document. In short, the group supports Stellwagen "large" as the only closure in the Western GOM.
- Bigelow Bight options (as proposed by the CATT) whether large or small needs to be removed from this action in order to have adequate review and consideration. The economic impacts associated with these newly designed options are profound. When combined with other areas either existing or under consideration in the Western GOM, there would be no area left for the day boat fishery to fish. Furthermore, the Bigelow Bight area is where the greatest number of trips by the day boat fleet occurs. This area has the highest economic return for this portion of the fleet. Lastly, industry members questioned whether these areas have been identified adequately (on good data). Most spawning likely occurs in state waters.

Georges Bank, Great South Channel, and Southern New England:

Georges Bank

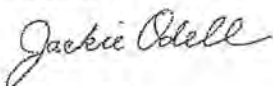
- Preferred habitat option is the Georges Shoal Habitat Management Area (HMA / MBTG). This includes support for Alternative 5 with the Georges Shoal Gear Modification Area "large" being replaced with the Georges Shoal Area "small" as a potential gear modification area.

Great South Channel

- Support the habitat area identified as "Nantucket Shoals" included under Alternative 5.

We greatly appreciate your time and attention. We look forward to providing more detailed input on the alternatives under development in the coming days.

Sincerely,



Jackie Odell
Executive Director

Proposal for an NEFMC priority on alternative catch strategies:

Investigate alternative management procedures for setting groundfish ABCs that:

1. are aimed at achieving optimum yield,
2. strive to limit year to year changes in catch to the extent practicable,
3. are suitable in situations where model uncertainty, parameter uncertainty, and retrospective patterns hinder status determinations and estimation of OFL, and significantly contribute to instability in catch advice,
4. Ameliorate uncertainty associated with infrequent assessment updates and/or make more frequent updates practical.

The investigation should be planned by an ad hoc group with representatives of the Council, SSC, and the PDT.

- Dr. Michael Sissenwine

SCALLOP PRIORITIES

Correspondence Related to Potential Scallop Work Priorities for 2014

Issue 1 – NGOM Management Area Measures for LA fishery

1a	James Wotton, Alex Todd, Walt Jessiman, Kristan Porter
1b	Tad Miller
1c	Togue Brawn
1d	Alex Todd
1e	Togue Brawn

Issue 2 – Modification of the small dredge exemption program

2a	Jonathan Mitchell, Mayor of New Bedford
2b	Eldon Greenberg
2c	John Markey (and about 180 additional signatures)
2d	Joe Gilbert
2e	Cameron Miele
2f	Ray Starvish

Issue 3 – Revise source of funding for observer coverage

3a	Joe Gilbert
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1a

Mary Beth Tooley, Chair
Scallop Committee
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

11/8/20

Dear Chairwoman Tooley,

We are writing today to ask that a recommendation come from the Scallop Committee to have a correction to current Northern Gulf of Maine (NGOM) scallop management inconsistencies be on the list of priorities for the next year of council work. We are making this request because we believe that a simple fix to the Northern Gulf of Maine management area will close a regulatory oversight that needs to be addressed for scallops to fully recover in the Gulf of Maine.

As Northern Gulf of Maine scallop permit holders there has been very little reason for us to be involved in federal scallop management over the years. Maine scallops are mostly harvested in state waters and a lot of effort has been spent to develop a management system to rebuild those stocks and create a strong inshore fishery. Despite not having participated in the federal fishery in many years, many Maine fishermen have held on to or purchased NGOM scallop permits because we believe the resource in the NGOM will recover, and we believe that with careful management, that recovery could create sustainable profits for fishing communities in dire need of them.

Scallops are one of the few bright spots for New England fishermen as we have seen the groundfish industry declared an economic disaster, the northern shrimp fishery basically shut down, and lobster prices greatly declined since the economic collapse a few years ago. The value of scallops has continued to increase but most of that value is found south of Cape Cod. We hope that through careful management Maine fishermen will be able to access this federal fishery in the future through the Northern Gulf of Maine permits that many of us have been holding on to for years without having the opportunity to use them.

Thank you for your time and consideration of this matter. With the little effort that currently exists in the Northern Gulf of Maine, now is the time to address this issue instead of waiting until it is too late. The simple solution of requiring all boats fishing in this area to adhere to the same NGOM regulations will protect the resource and provide an opportunity for an industry that is badly in need of one. We hope that the Scallop Committee asks the full Council to consider making addressing this issue a priority over the next fishing year.

Sincerely,

James Wotton, F/V Overkill, Friendship, Maine.
Alex Todd, F/V Jacob and Joshua, Chebeague Island, Maine
Walt Jessiman, F/V Dreamcatcher, Cutler, Maine
Kristan Porter, F/V Brandon Jay, Cutler, Maine

Deirdre Boelke

From: Togue Brawn <togue.brawn@gmail.com>
Sent: Friday, November 08, 2013 10:21 AM
To: Deirdre Boelke
Subject: Fwd: NGOM scallop comments

Please see e-mail below, comments from Tad Miller

----- Forwarded message -----

From: Julie Miller <jamiller54@roadrunner.com>
Date: Fri, Nov 8, 2013 at 9:34 AM
Subject: Re: NGOM scallop comments

I am writing this note to you in hopes that you will share my concerns for the inequities that currently exist in the NGOM management area with the Scallop Advisory Council and Scallop Committee. These inequities start with arbitrary use of a TAC that is only leveraged by participation of one user group (NGOM permit holders), while another group can exploit the resource however they see fit is unconscionable in todays era of fishery management. On top of this the group that stands to benefit the most under current regulations has by far the least amount of historical participation in this management area. I know this because I participated in this fishery as did many other small Maine based boats over thirty years ago that at times thrived all along the coast of Maine. I look at this as being tied to a lot of the issues surrounding fleet diversity which are being considered in the ground fish arena right now. There is however one major difference as the trends in the ground fish industry will be much more complicated then what faces the NGOM management area right now. It is time to do the right thing not only for the resource but also for the people and coastal communities that have historically depended upon those resources ! The small boat sector has always survived by being versatile. This is an excellent opportunity to place a tool in their box that may allow them to survive in the harsh business environment that exists in small boat commercial fishing today. I not only a commercial fisherman, but I also am currently a member of the State of Maine Scallop Advisory Council as the public member and I say that as the public is becoming more educated and involved, they are demanding more input in these issues. My sense is that the public emphatically thinks that there should be a place preserved for the small boat fleet where they can harvest and live in a responsible community minded way. This has become very clear to me as I have witnessed the issues around fleet diversity. I have other thoughts on the issues surrounding the NGOM management area I hope to have an opportunity to share in the future. Sincerely Ira "Tad" Miller F/V Mallery Sky, Matinicus Island, Maine and F/V Julie Ann, Tenants Harbor, Maine.

1c

Togue Brawn
Maine Dayboat Scallops, Inc.
39 Asselyn Drive
Scarborough, ME 04074
togue@mainedayboatscallops.com

November 8, 2013
Deirdre Boelke, Sea Scallop Plan Coordinator
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear Deirdre:

I am writing to ask that the Scallop Committee request the full Council to include correction of Northern Gulf of Maine (NGOM) scallop management inconsistencies on its list of 2014 priorities.

Amendment 11 established the NGOM management area as a separate management unit but simultaneously implemented regulatory inconsistencies that prevent it from being managed either separately or appropriately. These inconsistencies are summarized below:

- The NGOM area is protected by a TAC, a possession limit and a dredge size restriction, but none of these measures apply to LA DAS vessels.
- LA DAS vessels may take an unlimited amount of scallops from the NGOM by use of a DAS allocated to them based on the status of the (much larger) resource outside the NGOM. They are only required to stop fishing if the TAC is reached by NGOM and GC IFQ vessels *fishing under the significant constraints of a possession limit and a dredge size restriction.*
- LA DAS vessels and NGOM vessels are able to fish in state waters without having their landings deducted from the NGOM TAC, but IFQ vessels are not able to do so. GC IFQ vessels' landings in state waters are deducted from both the NGOM TAC and from their individual allocation, *which is allocated to them based on the status of the resource outside the NGOM.*

When establishing the NGOM Management area, the Council recognized the area experiences spasmodic booms and busts. It would be imprudent to wait for the area to "boom" before addressing these problems. No vessel should be able to fish in the NGOM using an allocation assigned to it based on the much larger resource south of 42 20. The possession limit, dredge size restriction and TAC established to protect the NGOM from overharvest should apply to all vessels that fish there.

The NGOM Management Area was created to provide continued access to the NGOM scallop resource for the small boat fishermen who had traditionally targeted it when the resource was abundant. Inconsistencies threaten the viability of the fishery and of the resource itself, but they can be fixed before they result in loss of fishing opportunities if they are addressed now. If we wait, the NGOM management area may never serve the purpose for which it was intended.

It would be relatively simple to correct these problems. All vessels fishing in the NGOM should be bound by the measures designed to protect the NGOM resource, and IFQ vessels should be given the same opportunity to fish in Maine's state water fishery as is offered to NGOM and DAS vessels. I request that the Council prioritize these corrections and make them as soon as possible. The longer we wait, the more dangerous the situation becomes and the harder it will be to correct it. Thank you for your consideration.

Yours truly,



Togue Brawn
Maine Dayboat Scallops, Inc

1d

Deirdre Boelke

Subject: FW: NGOM Scallop Access

From: Alex Todd [<mailto:alextodd207@gmail.com>]
Sent: Thursday, November 07, 2013 3:04 PM
To: Deirdre Boelke; Peter Hughes; Mary Beth Tooley
Subject: NGOM Scallop Access

To: NEFMC Scallop Committee and Advisory Panel

From: Alex Todd, F/V Jacob and Joshua, Chebeague Island Maine

November 7, 2013

Dear Mr. Hughes and members of the Advisory Panel and Ms. Tooley and members of the Scallop Committee:

I'm a proud multi-generational fisherman, I am told at least eight or more. I have deep concerns about the future of fishing, particularly ensuring that younger generations continue to be involved. Unfortunately, the restrictions and hoops one has to jump through for licenses and access discourages young people from joining this trade.

Although I do not agree with all regulations in place today, I understand why many of them are necessary. The Northern Gulf of Maine (NGOM) is regulated by a small possession limit, a dredge size restriction and a Total Allowable Catch, which I support. However, I do not understand why those regulations don't apply to everyone who fishes here.

In recent years there has been barely any fishing in the NGOM scallop zone. This should put everyone scalloping in this area on an equal level of historical participation.

As a small- 42' foot- boat, I have to diversify to make ends meet. This has cost me ground fish quota and access to below 42 20. In the 26 years I have fished on my own, I've gone from free range in the Gulf of Maine with my lobster traps, to none east of Cape Small and 392 south of Cape Elizabeth, and none in Area 3; then 88 days of ground fishing at equal weights to others, to a laughable IFQ based on just a few years that I didn't fish much.

In terms of scallops, I have gone from 400 pounds-a-day in the Gulf of Maine to 200 above 42 20 and a November 1 to April 15 state scallop season with no weight limit to a 70-day season with a weight that only works while the prices stay unusually high. I'm a chicken in a coop and it is constantly shrinking.

I strongly urge you to keep all vessels fishing this zone restricted to the same effort level. With the loss of shrimp days, ground fish quota and lobster price, this scallop access is vital to my family and my heritage and affects many other diversified fisherman like me.

Thank you,

Alex Todd

1e

Togue Brawn
Maine Dayboat Scallops, Inc.
39 Asselyn Drive
Scarborough, ME 04074
togue@mainedayboatscallops.com

September 24, 2013

Deirdre Boelke, Sea Scallop Plan Coordinator
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear Deirdre:

Amendment 11 established the NGOM as a separate unit to be managed independently of other federal waters and implemented measures to protect the NGOM resource from overharvest. However serious inconsistencies inhibit the effectiveness of these measures and create inequitable disadvantages for certain vessel categories. I am writing to request that the Council prioritize correction of these problems.

The Council decided to manage the NGOM separately for reasons outlined on page 41 of the Amendment 11 FSEIS:

- The majority of landings in the area were from Maine state waters, so it was important that management of the area be as compatible with Maine state regulations as possible.
- The GOM fishery was traditionally fished by small local boats and the Council considered local access to the resource to be important to the area's coastal communities.
- The NGOM scallop resource has never been a factor in setting target effort or removal rates under the Scallop FMP.
- The relative abundance of scallops in the major resource areas made it unlikely that a separate management program in the NGOM would impact LA DAS boats or GC boats from other areas.

All these statements are at least as valid now as they were when Amendment 11 was implemented. In fact recent improvements to Maine's state water scallop management program have rendered coordination of state and federal management even more important. But NGOM management problems persistently impede such coordination.

As recently noted by the NOAA Regional Administrator, 2012 state water landings exceeded projections by almost 500,000 pounds. This excess does not threaten the viability of federal management because the resource in state waters is not factored into the development of ACLs. But Mr. Bullard's notice of the overshoot prompts a question: why are both state water landings and the NGOM ACL shown on the OFL flowchart when *neither* is relevant to the process and determinations it illustrates? The presence of state water landings on the flowchart causes confusion, which will increase as Maine state management improvements yield increasingly higher state water landings. Confusion will be amplified if and when the federal waters of the NGOM rebound and landings from that area increase.

Amendment 11 established the NGOM management area as a separate management unit but simultaneously implemented regulatory inconsistencies that prevent it from being managed either separately or appropriately. These inconsistencies are summarized below:

- The NGOM area is protected by a TAC, a possession limit and a dredge size restriction, but none of these measures apply to LA DAS vessels.

memo @ Council mtg (9/24)

- LA DAS vessels may take scallops from the NGOM by use of a DAS allocated to them based on the status of the (much larger) resource outside the NGOM.
- LA DAS vessels are able to take an unlimited amount of scallops from the NGOM. They are only required to stop fishing if the TAC is reached by NGOM and GC IFQ vessels *fishing under the significant constraints of a possession limit and a dredge size restriction.*
 - LA DAS are capable of and authorized to remove an unlimited amount of scallops (potentially hundreds of thousands of pounds) from a resource that is supposedly managed by a 70,000 pound TAC.
 - Alarming, LA DAS vessels could theoretically fish the NGOM to commercial extinction before the smaller vessels had a chance to reach the TAC, which is the *only trigger* prompting a closure of NGOM waters.
- LA DAS vessels and NGOM vessels are able to fish in state waters without having their landings deducted from the NGOM TAC, but IFQ vessels are not able to do so. GC IFQ vessels' landings in state waters are deducted from both the NGOM TAC and from their individual allocation, *which is allocated to them based on the status of the resource outside the NGOM.*

If the NGOM is to be managed as a separate area, the inconsistencies that cloud that distinction, putting the resource there at risk of overharvest and disadvantaging GC IFQ vessels wishing to participate in the Maine state water fishery, should be corrected.

When establishing the NGOM Management area, the Council recognized the area experiences spasmodic booms and busts. It would be imprudent to wait for the area to "boom" before addressing these problems. No vessel should be able to fish in the NGOM using an allocation assigned to it based on the *much larger* resource south of 42 20. The possession limit, dredge size restriction and TAC established to protect the NGOM from overharvest *should apply to all vessels that fish there.*

The Maine Department of Marine Resources has made great improvements to its scallop management program in recent years. As these improvements continue, the inconsistencies between state and federal management will become more and more problematic.


Amendment 11 established measures as "a placeholder for future management of scallops in the NGOM if and when they return". But the problems listed above disadvantage GC IFQ fishermen wishing to participate in Maine's recovering state water fishery, and more importantly create a situation in which a single LA DAS vessel could quickly obliterate any nascent bloom that might otherwise lead to a recovery that would render the area worthy of Council attention.

The NGOM management area is important to Maine fishermen. Maine fishermen holding NGOM permits hope to participate in a small scale, sustainable fishery in the federal waters adjacent to their home ports. The Maine fishermen that hold GC IFQ permits should not be forced to choose between fishing in federal waters and taking full advantage of the burgeoning Maine state water fishery resulting from the management improvements many of them supported.

I recognize the NGOM management area is not a priority for the Council. It is precisely for this reason that I respectfully request that these management problems be corrected as soon as possible. If the Council wishes to limit time and resources spent managing the NGOM, it should correct the management inconsistencies that plague the area prior to abandoning it

I request that the Council prioritize these corrections and make them as soon as possible. Thank you for your consideration.

Yours truly,



Togue Brawn
Maine Dayboat Scallops, Inc

**NGOM Scallop Management Inconsistencies
For Council consideration, September 25, 2013**

Amendment 11 established the NGOM as a separate management unit to be protected by means of an independent suite of regulations. It is defined as the waters north of 42°20' N. lat. and within the boundaries of the Gulf of Maine Scallop Dredge Exemption Area.

Graphics on the OFL flowchart imply the NGOM TAC is somehow deducted from or developed from the OFL. **It is not.**

- The NGOM TAC is based on historic landings from the NGOM. It is developed independently of the assessments that yield the OFL and the ACL. The status of the NGOM is not factored into annual DAS or IFQ allocations.

The NGOM is (supposed to be) managed separately due to its unique characteristics. The NGOM scallop resource tends to be patchy and fluctuates widely.

Amendment 11 established the NGOM TAC, a daily possession limit and a dredge size restriction to protect the NGOM resource from overharvest. These measures do not apply to LA DAS vessels.

- While IFQ and NGOM vessels are limited to a 10.5' dredge size and a 200 pound possession limit, DAS vessels are not subject to these restrictions.
- LA DAS vessels may fish the NGOM using a DAS, which is allocated based on the status of the resource outside the NGOM. A vessel fishing under a DAS can take an unlimited amount of scallops from the NGOM.
 - **A LA DAS vessel could remove hundreds of thousands of pounds from an area supposedly managed by a 70,000 pound TAC.**
 - A single LA DAS vessel could theoretically fish the NGOM to commercial extinction before the IFQ and NGOM vessels were able to reach the 70,000 pound NGOM TAC, which is the only trigger that would prompt closure of the area.
- The area's history of wide fluctuations (booms and busts) suggests it will boom at some point. When that happens, it will attract DAS vessels. Given the patchiness of the NGOM resource, a single vessel could wipe out any burgeoning bloom.
- The NGOM is currently showing signs of recovery. It would be unwise to wait until the resource is "booming" to try to fix this problem.

The Council chose to establish the NGOM as a separate, independent management area. But priorities at the time prevented a thorough or effective separation. It would be far easier and more effective to address these problems prior to a resource recovery.

At a minimum, all vessels that fish the NGOM should be bound by the 200 pound possession limit and the NGOM TAC. No vessel should be able to fish in the NGOM using an allocation based on the health of the *much larger resource* to the south.

Rec'd e Council mtg (9/24)



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

October 25, 2013

New England Fishery Management Council
50 Water Street
Newburyport, MA 01950
Attn: Thomas A. Nies



Re: Atlantic Sea Scallop Small Dredge Program

Dear Members of the New England Fishery Management Council:

In anticipation of your November 20, 2013 meeting, I am writing to request that you reject the request to make the single dredge permit issue for the scallop fishery a priority for the 2014 fishing year. The elimination or amendment of the single dredge permit exemption ("Exemption") would have no effect on conservation of scallop fishery, but it would have severe, deleterious economic and human consequences on New Bedford. The port of New Bedford has been the nation's highest grossing fishing port for 12 consecutive years, based in large part on its scallop fishery, which generates over \$400 million in direct annual revenue.

The proponent of the Exemption's elimination has argued that repeal of the Exemption would help protect the scallop fishery, but this is not true. No scientific evidence exists to support this request. The Exemption affects how each year's total scallop catch is allocated between vessels, but it has no effect whatsoever on the total amount of scallops that can legally be caught. That amount, the Annual Catch Limit, is, as you know, supposed to be based on science and conservation principles. Elimination of the Exemption would provide no added conservation benefit but would simply shift the profits of the scallop industry from one group of vessels to another group of vessel owners.

While repeal of the Exemption would not help further conserve the scallop fishery, it indisputably would harm the people of New Bedford. There are approximately 20 single dredge vessels that fish out of New Bedford. The crew members directly employed on those vessels support approximately 75 to 100 area families. If the Exemption were to be eliminated, the single dredge boat owners would go out of business, and dozens of New Bedford fishing families would have no means of support. Moreover, there would also be a negative ripple effect on the

La

many shoreside operations in New Bedford that do business with small dredge vessels, including fish houses, fuel companies, accountants, lawyers, ice plants, welders, painters, supply houses, electricians and trucking companies.

The Exemption has been in place for nearly 20 years and has helped the port of New Bedford and New Bedford fishing families survive trying times and in some instances thrive. Repeal of the Exemption would serve only to concentrate wealth in a subset of boat owners and to cast hundreds of New Bedford residents into certain economic distress. I urge you not to make the Exemption a priority for the 2014 fishing year and to express your support for continuation of the Exemption.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jon Mitchell', written over a large, stylized, circular flourish.

Jon Mitchell
Mayor

26

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September 12, 2013

VIA REGULAR MAIL

Hon. Penny Pritzker
Secretary of Commerce
United States Department of Commerce
14th Street and Constitution Avenue, NW
Washington, D.C. 20230



Petition for Rulemaking to Repeal the Atlantic Sea Scallop Small Dredge Exemption

Dear Madam Secretary:

Please find enclosed herewith a petition for rulemaking under the Administrative Procedure Act, 5 U.S.C. § 551, *et seq.*, and the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. § 1801, *et seq.*, to repeal the small dredge exemption under the Atlantic sea scallop fishery management plan.

Please don't hesitate to contact me if you have any questions.

Sincerely,

Eldon V.C. Greenberg

Enclosure

cc: Samuel D. Rauch III
John Bullard
Lois Schiffer
Ernest F. Stockwell III
Raymond Starvish

cc: DB, Council (9/10)

**Petition for Rulemaking to Repeal the Small Dredge Program
Under the Atlantic Sea Scallop Fishery Management Plan**

Submitted to Secretary of Commerce Penny Pritzker
Office of the Secretary
United States Department of Commerce
14th Street and Constitution Avenue, NW
Washington, D.C. 20230

September 12, 2013

Please Address Correspondence to:

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Attorneys for Petitioner Compass Fishing Corp.

I. INTRODUCTION

Compass Fishing Corp. (“Petitioner” or “Compass”) hereby petitions the Secretary of Commerce (the “Secretary”) for a rulemaking under the Administrative Procedure Act, 5 U.S.C. §§ 551-559 (the “APA”), and the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. §§ 1801-1884 (the “Magnuson-Stevens Act”), to repeal the outdated and ineffective “Small Dredge Program” currently set forth in 50 C.F.R. § 648.51(e) (the “Exemption” or the “Program”).¹ As discussed below, the Exemption was specifically designed for the effort control days-at-sea (only) management program instituted in 1994 in the Atlantic sea scallop fishery under the Atlantic Sea Scallop Fishery Management Plan (the “FMP”). In light of subsequent regulatory changes in the fishery, the Exemption no longer serves the function for which it was originally intended. Worse yet, it has provided a loophole that has significantly increased fishing mortality and fishing capacity for Atlantic scallops in contravention of the Program’s original purpose. It has also inequitably reallocated large portions of the catch—estimated to be approximately five million pounds worth over \$50 million annually—to vessels not otherwise qualified as “full-time” or “part-time” fleet vessels. The solution to these problems is a simple one—repeal of the Exemption—that would still allow current Program participants to fish, but at the classification level for which they actually qualify.

II. BACKGROUND

A. Interest of the Petitioner

The New England origins of Petitioner date back to the late 1970s. Compass is a family business, owned and operated for the past 35 years by Ray Starvish Sr., who has recently been joined in the business by his son, Ray Jr. Today, Compass owns two boats, K.A.T.E. and K.A.T.E. II, which operate out of the Port of Fairhaven, New Bedford, Massachusetts. Both

¹ The rule is set forth in its entirety in Appendix A to this Petition.

vessels are western-rigged² scallop fishing boats that carry the same seven-person crew. They fish on Georges Bank to the north and the Delmarva³ to the south.

Ray Starvish Sr. has been in frequent attendance at New England Fishery Management Council (the "Council" or the "NEFMC") meetings since the mid-1980s, and participated in the proceedings in which the Exemption was adopted in 1993-94. As a qualified full-time scalloper operating in the fishery, Compass has grown increasingly concerned about the deleterious effect of the Exemption, both on its own economic livelihood and on the fishery itself. In recent years, Mr. Starvish has been in frequent correspondence with the Council and with the National Marine Fisheries Service ("NMFS"), advocating for repeal or reconsideration of the Exemption.⁴

B. The Exemption Was a Creature of a Previous Management Regime Focused on Effort Control

The Exemption was created in 1994 as a last-minute insertion to Amendment 4 of the FMP. *See 59 Fed. Reg. 2757 (Jan. 19, 1994)*. Amendment 4 introduced a significant change to how the fishery was managed, as it shifted the primary management strategy from a meat count (*i.e.*, size) control management system, to an effort control program for all resource areas. To that end, it established a limited entry program, under which three categories of limited-access permits were created: "Full-time" fleet vessels, "Part-time" fleet vessels, and "Occasional" fleet

² A "western-rigged" fishing boat is a boat that has the pilot house forward of mid-ship, and tows over the stern.

³ "Delmarva" refers to the southern-most portion of the scallop fishery, comprising areas off the coasts of Delaware, Maryland, and Virginia.

⁴ Of relevance to the present Petition, Mr. Starvish has corresponded on previous occasions with NMFS Regional Administrator Patricia A. Kurkul about repealing the Exemption. Responding to an August 11, 2010 letter from Mr. Starvish, Ms. Kurkul, by letter dated August 26, 2010, advised that she was forwarding Mr. Starvish's informal request for repeal to the Council for consideration in subsequent amendments to the FMP. Later, in response to an October 8, 2010 follow-up letter from Mr. Starvish, Ms. Kurkul responded by letter dated January 24, 2011, advising Mr. Starvish that she had forwarded his letter to the Council for consideration at its November 2010 meeting, but that the Council decided not to take action on the issue at that time. She also indicated that the issue was brought to the Executive Committee for discussion, but was not identified as a management priority for the year. Ms. Kurkul agreed to forward Mr. Starvish's most recent letter to the Council so that they could "consider addressing [his] concerns through a future action."

vessels. The expectation under this system was that vessels with Part-time and Occasional permits would receive only 40 and 8.3 percent, respectively, of a full-time allocation. The Council's primary objective with this new framework in Amendment 4 was "to reduce the fishing mortality rate to eliminate the overfished condition of Atlantic sea scallops." *See 59 Fed. Reg. at 2757.*

The Exemption was added to Amendment 4 at the eleventh hour, without any study or analysis of its expected impact. In essence, the Exemption offers scallop vessels the option of more days-at-sea if they agree to employ less intensive harvesting practices. Specifically, vessels classified as "Part-time" and "Occasional" have the annual option to fish under the next higher classification (*i.e.*, "Full-time" for "Part-time" vessels, and "Part-time" for "Occasional" vessels)—thereby having more days-at-sea—if they are willing to use and carry no more than a single dredge not to exceed 10.5 feet (3.2 m) in width, and have no more than five people on board, including the operator. *See id. at 2758.* The Council expressly envisioned that these gear and crew size limitations would reduce the efficiency of Program participants. *See id.* ("The specific management measures that will be used to achieve the necessary reduction in fishing effort include . . . an annual option for vessels in the Part-time or Occasional category to fish in the next higher vessel group if they use only one dredge no more than 10.5 feet (3.2 m) in width and their crew complement (including the operator) is five or less.") (emphasis added).

At the time the Exemption was enacted, its proponents urged that it was necessary to assist Maine small boat (*i.e.*, single dredge) scallop fishermen, thereby "allow[ing] for a continuation of a traditional fishery." NEFMC Minutes of Meeting on May 12-13, 1993 ("NEFMC Meeting Minutes"). Council Member Bill Brennan from Maine, at the Council meeting held in Mystic, Connecticut on May 12-13, 1993, offered a motion for a small dredge

exemption on behalf of 32-34 small dredge Maine scallop vessels. In announcing approval of the motion, Council Chairman Brancaleone summarized the issue as follows:

[The next issue] is at the request of the so-called small scale fishermen, primarily from Maine. A class of vessels that basically has fished at varying levels but have been largely unrecorded in terms of their performance and landings. And largely confined their activities to the Gulf of Maine. We approve, the committee approved, a special authorization – a consideration that would allow them to use a single ten and one-half foot [dredge] which I believe is the present maximum size dredge allowed in Maine. These individuals would be allowed to move from part-time, if they're so classified, or occasional, to move up one step provided they use this single dredge, only one dredge.

*Id.*⁵ As indicated by the Chairman, proponents of the Exemption claimed it was necessary to aid small-scale fishermen, primarily from Maine, who would otherwise have difficulty documenting their appropriate classification under the FMP:

Gulf of Maine fishermen commented that their historical practice of scalloping in state waters and occasionally at Fippennies Ledge and Georges Bank with small dredge was not taken into account. Furthermore, they argued that incomplete data collection and difficulty in documenting their complete scalloping history would result in mis-classification. The Council responded by modifying the group assignment rules, the gear size restrictions, and the crew limits.

NMFS, Final Amendment 4 and Supplemental Environmental Impact Statement to the Atlantic Sea Scallop Fishery Management Plan, at p. 6 (1993).

In addressing this concern, however, the Council could not undermine the primary objective of Amendment 4 “to reduce the fishing mortality rate to eliminate the overfished condition of Atlantic sea scallops.” 59 *Fed. Reg.* at 2757. Thus, supporters of the Exemption assured the Council that the gear and crew size restrictions would counterbalance the greater number of days-at-sea for Program participants, making for a conservation-neutral policy. The meeting minutes show that the Council was ultimately persuaded by this argument, believing that

⁵ At the request of Council member Dick Allen, the Council subsequently adopted the additional qualification requiring that vessels participating in the Program carry no more than a five-person crew in order to limit shucking power. See NEFMC Meeting Minutes.

the fishing efforts per day of Program participants would be less than half of that for larger vessels. *See* NEFMC Meeting Minutes. The Council further estimated that a full-time small dredge vessel with a five-person crew would have a shucking capacity of approximately 700-800 pounds per day, as compared to a full-time large dredge vessel that would have a daily shucking capacity of 1,500-2,000 pounds. This projected to approximately 40% catch/production/landings of a full-time large dredge vessel. *Id.* And when a concern was raised about vessels capable of large dredge operations utilizing the Exemption, its supporters claimed the large disparity in efficiency between large and small dredges would eliminate any economic incentive for gaming the system. Thus, the Council was told, and ultimately believed, that by reducing drag size and crew, it could grant more days-at-sea for small-scale fishermen, thereby preserving a traditional fishery without compromising Amendment 4's ultimate objective of restoring stocks of Atlantic sea scallops. The Exemption, in other words, was specifically designed for an effort control system of management, offering a particular trade-off based on the relevant metrics for that particular system.

C. The Undermining of the Exemption by the Shift to a Spatial Management Strategy for the Fishery

Despite serious concerns with the hasty process and lack of adequate analysis and review in 1994, the Exemption was adopted and has been part of the FMP ever since. Regrettably, it is now clear that the Exemption has become merely a regulatory loophole through which (mostly non-Maine) fishing interests can operate at a higher classification level without the concomitant trade-offs originally intended with the gear and crew size limitations of the Exemption. The cause of this shift has been the evolving regulatory framework for the fishery, in which the days-at-sea/effort control approach has been de-emphasized, while the Exemption has remained the same.

The key factor that has undermined the Exemption as it was originally conceived has been the shift toward a spatial management strategy for the fishery. As discussed above, Amendment 4 regulated scallop fishing under a “days-at-sea” approach focused upon effort control, whereby vessels were allocated a certain number of days-at-sea based upon their classification in the fishery (*i.e.*, Full-time, Part-time, Occasional). Those Part-time and Occasional vessels wishing to have more days-at-sea than they could otherwise qualify for, had the option of obtaining a higher classification under the Exemption, in exchange for the associated gear and crew size limitations. This presented the Council with what it believed to be a conservation-neutral trade-off, the advantages of which were left up to individual fishing interests to weigh: less efficient fishing for more time (under the Exemption), or more efficient fishing for less time (without the Exemption).

In 1999, however, the Council adopted the Access Area Program, which granted access to previously closed areas for scallop fishing. Georges Bank closed areas were opened to scallop fishing starting in 1999 pursuant to Framework 11 and later Framework 13. *See* Proposed Framework 24 SAFE Report, Appendix I, distributed at the NEFMC Scallop Plan Development Team (the “PDT”) Meeting on Aug. 20-21, 2012. Frameworks 14 and 15 provided controlled access to Hudson Canyon and Virginia/North Carolina areas. *Id.* Then, in 2004, the Council adopted Amendment 10 to the FMP, which fundamentally changed the way the scallop fishery had been managed: “The primary intent of Amendment 10 is to introduce spatial management of adult scallops, taking advantage of resource heterogeneity to improve yield and minimize collateral adverse impacts on other fisheries and the marine environment.” NMFS, Final Amendment 10 to the Atlantic Sea Scallop FMP with a Supplemental Environmental Impact Statement, Regulatory Impact Review, and Regulatory Flexibility Analysis, p. 3-2 (Dec. 2003).

This new spatial management strategy emphasized high landings per unit effort (“LPUE”) to minimize dredge bottom time, reduce fishing time and reduce expenses such as fuel.

The shift to a spatial management strategy focused on LPUE under Amendment 10 has left the benefits of the Exemption in place (*i.e.*, the ability to step up to a higher classification), while largely eliminating its disincentives. This is because under the new regime, small dredge vessels receive the same number of access trips, pounds, and crew size, as compared to full-time large dredge vessels. *See, e.g.*, 50 C.F.R. § 648.51(e)(3)(i) (“There is no restriction on the number of people on board for vessels participating in the Sea Scallop Area Access Program as specified in § 648.60[.]”). Vessels fishing in closed areas are now limited only by total allowable catch, not the number of days-at-sea, and thus small dredge vessels can fish in access areas with a full crew for as long as necessary in order to catch their allocated pounds. And the high LPUE in access areas means that even with a single, small dredge, vessels can harvest significantly more scallops than they could in the open areas. Thus, the only disadvantage of having a smaller dredge on Access Area trips is the marginal additional trip expenses, such as food and fuel.

D. The Surge in Vessels Utilizing the Exemption and Re-allocation of the Scallop Harvest to those Vessels

With these changes, the Exemption has become, in essence, an attractive loophole, offering a “carrot” (higher classification) without the “stick” (lower yields) that existed under previous iterations of the FMP. Accordingly, Part-time and Occasional vessels have flocked to avail themselves of the Exemption. Between 1994 and 2000 when scallop management relied entirely on “days-at-sea,” there were never more than five Full-time small dredge permits. Since then, the number of Full-time small dredge permits has increased tenfold, reaching a high of 63 in 2007. *See* Table 1 below.

Table 1.

Permit Category	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Full-time small dredge	3	13	25	39	48	57	59	63	56	55	54	53

In 2010, in addition to the 54 Part-time scallop vessels that upgraded to Full-time small dredge vessels, 35 Occasional scallop vessels upgraded to Part-time small dredge vessels. *See Proposed Framework 24 SAFE Report, Appendix I, distributed at the NEFMC Scallop PDT Meeting on Aug. 20-21, 2012.*

This trend did not go unnoticed by the PDT. In a September 1, 2004 Scallop Management Advice Memorandum to the Scallop Oversight Committee, the PDT included the following recommendation on the Exemption:

Another issue related to the changing characteristics of the fishing fleet and capacity is the increasing number of small dredge permits, which have increased from 7 permits in 2000 to 63 permits in 2004 (with a corresponding decrease in part-time and occasional full-size dredge and trawl permits from 55 to 13). More analysis is needed to determine how this change in permits has affected DAS allocations to limited access vessels and fishing mortality, which may be a suitable focal point for the 2005 SAFE Report. **More important to this potential re-evaluation would be a determination of the past and present objective of the small dredge permit, so that [it] can be determined whether the present system is achieving this objective.**

PDT, Memorandum on Scallop Management Advice, Sept. 1, 2004 (emphasis added). No such re-evaluation ever occurred.

Along with the increasing number of vessels utilizing the Exemption, there has been a corresponding sharp increase in the allocation of the resource to small dredge vessels.

Framework Adjustment 18 observed that:

Another important trend was that vessels with part-time and occasional permits were converted into fulltime or part-time small dredge permits as the resource conditions improved and the daily catches for a vessel with a small dredge

permit became closer to the daily catches of a vessel with a large dredge permit.

NMFS, Framework Adjustment 18 to the Atlantic Sea Scallop FMP, Including an Environmental Assessment, Regulatory Impact Review, Regulatory Flexibility Analysis and SAFE Report, p. 4-18 (Dec. 2007) (emphasis added). Framework Adjustment 18 also explained:

The striking increase in the scallop revenue per full-time vessel according to the gear categories is evident from Table 40. While the vessels in all categories have more than doubled their annual scallop revenue during 1999-2004, **annual scallop revenue per full-time small dredge vessel almost tripled explaining the incentive to transfer part-time permits to full-time small-dredge permit during recent years.**

Id. at 4-23 (emphasis added). Again, this tripling of revenues by full-time small dredge vessels was primarily caused by the increase in catch by this group resulting from rotational area management, where full-time small dredge vessels received the same number of access trips and pounds as bona fide full-time vessels. In sum, it is now clear that the premise upon which the Exemption was founded—that a small dredge significantly reduces a vessel’s take—is simply not true.

E. Unfairness to Properly Categorized Vessels

The foregoing dynamic has resulted in an unfair and unintended reallocation of the scallop resource to those vessels that did not originally qualify for an upgraded category. In August 2011, H. Kite-Powell, a Research Specialist at the Marine Policy Center of the Woods Hole Oceanographic Institution, produced an economic study entitled “Estimated Effect of the Small Dredge Exemption on Scallop Landings.”⁶ It sought to quantify the per vessel gains conferred upon users of the Exemption. The following table (here labeled Table 2), set forth in the Kite-Powell report as Table 3, summarized those gains from 2008 and 2009:

⁶ A copy of the report is attached as Appendix B to this Petition.

Table 2.

	Landings per vessel per year (lbs)	
	2008	2009
Part time vessel upgrading to full time small dredge		
Fishing part time as two-dredge scallop vessel	71,360	69,330
Fishing full time small dredge	120,350	138,950
Gain from upgrade	48,990	69,620
Occasional vessel upgrading to part time small dredge		
Fishing occasionally as two-dredge scallop vessel	14,570	14,170
Fishing part time small dredge	50,620	51,450
Gain from upgrade	36,050	37,280

Based on these trends, the report estimated the effective transfer of the allocation from Full-time permits to Part-time and Occasional boats operating under the Exemption to be between 14,900 and 19,500 lbs/year for each Full-time permit, with 50-75% of the total coming from Access Area landings. For 2010, the report estimated (conservatively) that vessels utilizing the Exemption would accrue between 3.9 to 5.1 million pounds in additional scallop landings. Under these calculations, the cost to each Full-time vessel was expected to be more than \$200,000, with the potential for even greater losses if additional access areas were to be created.

III. STATUTORY AND REGULATORY AUTHORITY FOR THIS PETITION

This Petition invokes the authority of the Secretary pursuant to the APA and the Magnuson-Stevens Act.

A. Administrative Procedure Act

The APA states that “[e]ach agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule.” 5 U.S.C. § 553(e). If such a petition is denied the agency must provide “a brief statement of the grounds for denial.” *Id.*, § 555(e); *Nat’l Mining Ass’n v. U.S. Dep’t of the Interior*, 70 F.3d 1345, 1352 (D.C. Cir. 1995). This right “entitles the petitioning party to a response on the merits of the petition.” *Fund for Animals v. Babbitt*, 903 F. Supp. 96, 115-16 (D.D.C. 1995). Agencies must respond to petitions “within a

reasonable time,” to “proceed to conclude a matter presented to it.” 5 U.S.C. § 555(b).

Accordingly, the Secretary must “fully and promptly consider” all petitions presented to her.

WWHT, Inc. v. F.C.C., 656 F.2d 807, 813 (D.C. Cir. 1981).⁷

B. Magnuson-Stevens Act

Under the Magnuson-Stevens Act, the Secretary plays an integral role in the realization of the Act’s goals by providing guidance to the fishery Councils with respect to their operations and exercising rulemaking authority to guide and implement Council actions. This includes “assist[ing] in the development of fishery management plans” by establishing advisory guidelines based on national standards, *see* 16 U.S.C. § 1851(b) and 50 C.F.R. Part 600, Subpart D, and issuing general regulations governing Council operations. *See generally* 50 C.F.R. Part 600. The Secretary also ensures that regulations proposed by the Councils “are consistent with the fishery management plan [and any] plan amendment[.]” *id.*, § 1854(b)(1), publishes both proposed and final rules under the Act and generally carries out rulemaking responsibilities for fishery management measures. *Id.*, 16 U.S.C. §§ 1854(b)(2),(3). In the event of any inconsistency, the Act empowers the Secretary to “notify the Council in writing of the inconsistenc[y] and provide recommendations on revisions.” *Id.*, 16 U.S.C. § 1854(b)(1)(B). The Secretary further has a “responsibility to carry out any fishery management plan or amendment approved or prepared by him, in accordance with the provisions of [the Magnuson-Stevens Act].” *Id.*, § 1855(d). Finally, the Magnuson-Stevens Act provides, “The Secretary may promulgate such regulations, in accordance with section 553 of title 5, United States Code, as

⁷ NMFS has developed Operational Guidelines, pursuant to the Magnuson-Stevens Act, for the development, review, approval, and implementation of FMPs, amendments, and other related fishery management actions. Included within the Guidelines are “Procedures for Development of Regulations,” Paragraph 14 of which specifically addresses petitions to undertake rulemaking. This Petition is consistent with such Procedures.

may be necessary to discharge such responsibility or to carry out any other provisions of this Act.” *Id.*

IV. THE SECRETARY SHOULD DIRECT THE COUNCIL TO TAKE ACTION LEADING TO REPEAL OF THE ANACHRONISTIC EXEMPTION IN SERVICE OF THE REQUIREMENTS OF THE MAGNUSON-STEVENSONS ACT

The Magnuson-Stevens Act was enacted to prevent overfishing, rebuild overfished stocks, and establish a comprehensive fishery conservation and management scheme. *See* 16 U.S.C. §1801(a)-(b). Pursuant to these goals, Congress intended that fishery management programs “utilize[] . . . the best scientific information available.” *Id.*, §§ 1801(c)(3), 1851(a)(2). It is now manifestly clear from the best scientific information available that the Exemption is being used as a loophole to harvest significantly greater quantities of Atlantic sea scallops. It is also clear why this has occurred—because the regulatory underpinnings for the Exemption have changed, while the Exemption itself has not. Under the current management approach, there is no reason for providing a stepped-up classification for Part-time and Occasional vessels, and doing so threatens the resource and results in an inequitable reallocation to unqualified vessels, contrary to Section 301(a)(4) of the Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(4). The Secretary can and should close this loophole by directing the Council to take action leading to repeal of the Exemption. Doing so would require no great expenditure of effort, as no new rule is needed to take its place, and would not deprive any current Program participants of the right to fish. It would simply require that all participants fish under the classification for which they truly qualify, thereby promoting the sustainability and fair allocation of the scallop resource.

V. CONCLUSION

For the foregoing reasons, Petitioner respectfully submits that the Secretary should direct the Council to undertake action leading to a rulemaking to repeal the Exemption.

Date: September 12, 2013

Respectfully submitted,



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~~Jeffrey C. Young~~
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Fishing Corp.

Appendix A

(C) Vessels subject to the requirements in paragraph (b)(5)(ii) of this section transiting waters west of 71° W long., from the shoreline to the outer boundary of the Exclusive Economic Zone, are exempted from the requirement to only possess and use TDDs, provided the dredge gear is stowed in accordance with § 648.23(b) and not available for immediate use.

(D) *TDD-related definitions.* (1) The cutting bar refers to the lowermost horizontal bar connecting the outer rails at the dredge frame.

(2) The depressor plate, also known as the pressure plate, is the angled piece of steel welded along the length of the top of the dredge frame.

(3) The top of the dredge frame refers to the posterior point of the depressor plate.

(4) The struts are the metal bars connecting the cutting bar and the depressor plate.

(c) *Crew restrictions.* Limited access vessels participating in or subject to the scallop DAS allocation program may have no more than seven people aboard, including the operator, when not docked or moored in port, except as follows:

(1) There is no restriction on the number of people on board for vessels participating in the Sea Scallop Area Access Program as specified in § 648.60;

(2) Vessels participating in the small dredge program are restricted as specified in paragraph (e) of this section;

(3) The Regional Administrator may authorize additional people to be on board through issuance of a letter of authorization.

(4) A certified at-sea observer is on board, as required by § 648.11(g).

(d) *Sorting and shucking machines.* (1) Shucking machines are prohibited on all limited access vessels fishing under the scallop DAS program, or any vessel in possession of more than 600 lb (272.2 kg) of scallops, unless the vessel has not been issued a limited access scallop permit and fishes exclusively in state waters.

(2) Sorting machines are prohibited on limited access vessels fishing under the scallop DAS program.

(e) *Small dredge program restrictions.* Any vessel owner whose vessel is assigned to either the part-time or Occa-

sional category may request, in the application for the vessel's annual permit, to be placed in one category higher. Vessel owners making such request may be placed in the appropriate higher category for the entire year, if they agree to comply with the following restrictions, in addition to, and notwithstanding other restrictions of this part, when fishing under the DAS program described in § 648.53:

(1) The vessel must fish exclusively with one dredge no more than 10.5 ft (3.2 m) in width.

(2) The vessel may not use or have more than one dredge on board.

(3) The vessel may have no more than five people, including the operator, on board, except as follows:

(i) There is no restriction on the number of people on board for vessels participating in the Sea Scallop Area Access Program as specified in § 648.60;

(ii) The Regional Administrator may authorize additional people to be on board through issuance of a letter of authorization.

(iii) A certified at-sea observer is on board, as required by § 648.11(g).

(f) *Restrictions on the use of trawl nets.*

(1) A vessel issued a limited access scallop permit fishing for scallops under the scallop DAS allocation program may not fish with, possess on board, or land scallops while in possession of a trawl net, unless such vessel has been issued a limited access trawl vessel permit that endorses the vessel to fish for scallops with a trawl net. A limited access scallop vessel issued a trawl vessel permit that endorses the vessel to fish for scallops with a trawl net and general category scallop vessels enrolled in the Area Access Program as specified in § 648.60, may not fish with a trawl net in the Access Areas specified in § 648.59(b) through (d).

(2) *Replacement vessels.* A vessel that is replacing a vessel authorized to use trawl nets to fish for scallops under scallop DAS may also be authorized to use trawl nets to fish for scallops under scallop DAS if it meets the following criteria:

(1) Has not fished for scallops with a scallop dredge after December 31, 1987; or

Appendix B

Estimated Effect of the Small Dredge Exemption on Scallop Landings

H. Kite-Powell
Research Specialist
Marine Policy Center
Woods Hole Oceanographic Institution
August 2011.

Under the small dredge exemption (SDE) created in 1994 as part of Amendment 4 to the Atlantic Sea Scallop Fisheries Management Plan, “part-time” and “occasional” scallop fishing vessels are allowed to increase their fishing activity in exchange for restrictions on gear and crew. Specifically, scallop vessels originally categorized as “part-time” (more than 37 but fewer than 150 days at sea (DAS), on average, in 1985-1990) can upgrade to full-time status, and vessels originally categorized as “occasional” (averaging fewer than 38 DAS in 1985-1990) can upgrade to part-time status, in exchange for restricting fishing gear to a single 10.5 ft dredge and limiting crew to no more than five. Following the advent of Amendment 10 to the Atlantic Sea Scallop Fishery Management Plan in 2004, the number of scallop vessels taking advantage of the SDE increased significantly. In 2010, 54 part-time scallop vessels upgraded to full-time small dredge permits and 35 occasional scallop vessels upgraded to part-time small dredge permits under the SDE. Here, we estimate the increase in annual scallop landings, under recent conditions, for vessels that take advantage of the SDE.

The tradeoff for a scallop vessel considering the SDE upgrade is a greater number of DAS for fishing in Open Areas and, possibly, a greater number of fishing trips to Access Areas, in exchange for a lower landings per unit effort (LPUE) during Open Area fishing due to the dredge and crew restriction. Table 1 shows LPUE for different categories of scallop vessels in Open Areas in 2008 and 2009.

	Landings per unit effort (LPUE)	
	2008	2009
Full time scallop vessel	1,768 lbs	2,222 lbs
Full time small dredge	948 lbs	1,323 lbs
Part time small dredge	731 lbs	1,030 lbs

Table 1: Open Area landings per unit effort, 2008 and 2009.

Source: NMFS/PDT.

Table 2 shows DAS and trip allocations by vessel category for 2008 and 2009.

Effort Allocation				
	2008		2009	
	Open Area DAS	Access Area Trips	Open Area DAS	Access Area Trips
Full time scallop vessel	51	4 @ 18k lbs	37	5 @ 18k lbs
Part time scallop vessel	20	2 @ 18k lbs	15	2 @ 18k lbs
Occasional scallop vessel	4	1 @ 7.5k lbs	3	1 @ 7.5k lbs

Table 2: Effort allocation to different categories of scallop vessels, 2008 and 2009. Access Area trips are limited to 18,000 lbs landings for full time and part time, and 7,500 lbs landings for occasional vessels. Source: Amendment 15, Atlantic Sea Scallop Fishery Management Plan.

Table 3 summarizes the gains from upgrading under the SDE for 2008 and 2009.

Landings per vessel per year (lbs)		
	2008	2009
Part time vessel upgrading to full time small dredge		
Fishing part time as two-dredge scallop vessel	71,360	69,330
Fishing full time small dredge	120,350	138,950
Gain from upgrade	48,990	69,620
Occasional vessel upgrading to part time small dredge		
Fishing occasionally as two-dredge scallop vessel	14,570	14,170
Fishing part time small dredge	50,620	51,450
Gain from upgrade	36,050	37,280

Table 3: Estimated gains per vessel from upgrading under the SDE, 2008 and 2009. Landings for regular scallop vessels are based on LPUE for full-time vessels.

As Table 3 shows, the estimated gain from upgrading a part-time two-dredge scallop vessel to full-time under the SDE was about 49,000 lbs in 2008 and nearly 70,000 lbs in 2009. The gains for upgrading an occasional two-dredge scallop vessel were 36-37,000 lbs. These estimates may understate the actual gains because the estimated landings fishing part-time or occasionally as a two-dredge vessel assume the LPUE for full-time two-dredge scallop vessels – and these may well be larger than those achieved by part-time and occasional vessels, if the data for SDE fishing are any indication (see Table 1).

In 2010, there were 54 full-time and 35 part-time scallop vessels operating under SDE upgrades. Assuming per-vessel gains similar to those estimated for 2008 and 2009, this suggests (conservatively)

2c



Email with attachment received 9/17/13:

From: john@mosessmithmarkey.com
To: mbtooley@live.com
Subject: Re: Single Dredge - Scallop Issue

Ms. Tooley -

I am writing to you on behalf of a number of small business people interested in the above referenced issue. I apologize for the late filing of the attached letter / petition. But, we had been under the impression that the issue of the "priority" to be assigned to the single dredge permit issue was not going to be discussed at your committee meeting this week. We had expected that it would be raised (if at all) at the November Meeting.

In anticipation of the November meeting, the attached letter / petition was prepared and signed by hundreds of people interested in preserving the integrity and the traditions of the small boat owners in Northeast Fishing ports from Maine to New Jersey.

If this issue is discussed at your committee meeting tomorrow, please accept this submission and share it with your group as input from the community members sharing the concerns of the fishing communities in the Northeast. If you require additional testimony (beyond this letter / petition), please call me at any time and I will make arrangements to have a representative present at the meeting this week. My cell number is (508) 525-0071.

Thanks very much for your anticipated cooperation.

John A. Markey, Jr.
Moses Smith and Markey, LLC
50 Homers Wharf
New Bedford, MA 02740
(508) 993-9711 - phone
(508) 993-0469 - fax

attachment

September 11, 2013

New England Fishery Management Council
50 Water Street
Newburyport, MA 01950
Attn: Thomas A. Nies



RE: Atlantic Sea Scallop Small Dredge Program

Dear Mr. Nies:

Once again, the New England Fishery Management Council has been asked to eliminate or amend the Full Time Small Dredge Program. We the undersigned do not believe that there is any credible rationale or justification for further review of this request. Accordingly, we ask that the Council immediately reject the proposal. Furthermore, the below signers want to stress to the Council that the elimination of the Full Time Small Dredge Program would have dire financial consequences for hundreds of New England and Mid-Atlantic Families. In addition, it appears that only a few individuals out of the hundreds of Limited Access scallop permit holders supports the elimination of the small dredge fleet, desiring to undo a policy which has been in place for nearly twenty years.

The sole purpose of this push to eliminate full time small dredge vessels from the Atlantic Sea Scallop Fishery appears to be personal gain. Those opposed to the full time small dredge fleet have stated consistently that the full time small dredge vessels should be eliminated and that the scallops that the small dredge vessels would have caught should be allocated to the full time large dredge fleet. This argument violates two basic requirements of the Magnuson-Stevens Fishery Conservation and Management Act which stipulates that any changes in fishing regulations must consider: (a) conservation of the resource; and (b) the associated economic impact of the proposed change. The taking of allocation from one group of permit holders and transferring that allocation to another group of permit holders does not promote conservation. Moreover, the proposed change would unequivocally harm small dredge permit holders; the fishing crews that they employ; and the hundreds of shore-side businesses serving this segment of the industry. In addition, the loss of the associated tax revenue from the small dredge fleet, fishermen and support businesses would harm the fishing communities and the states in which they operate.

Full time small dredge vessels employ a maximum 10.5' dredge and they are limited to the use of five crew members. In contrast, a full time large dredge vessel can carry two dredges with a combined total of 30' of dredge and they can use seven men, allowing them to be more efficient in harvesting the resource. The increase in harvesting capability by transferring allocation from the small dredge fleet to the large dredge fleet would actually have a negative effect on conservation management.

Amendment Four, which created the Full Time Small Dredge Program, was passed in 1994 – nearly twenty years ago. Since that time nine amendments have been passed without any objections from the industry to curtail the full time small dredge operators.

Precedent has been established and reasonable investment backed expectations have been made by scores of fishing families. For the past nineteen years, the owners of full time small dredge vessels have based their business decisions on the long-term continued support from the industry and Council. The Council should not revisit its decision twenty years after the fact.

Since the inception of Amendment Four, full time small dredge vessels have fished exclusively for scallops and as a result are unable, due to changes in other fishery management programs, to fish for other species. Eliminating the full time small dredge program would essentially put these owners out of business; bankrupting them and forcing their crews into unemployment. The elimination of these boats from the fleet will result in an estimated 300 newly unemployed commercial fishermen. Job killing actions by the Council are (and should be) extremely unpopular. The elimination of the small dredge rights will lead to a long and costly political and legal fight. The boats of the small dredge fleet have earned the right through hard work and sacrifice to remain a part of the fishery.

The financial losses would not end with the boat owners and their crews, but would extend to the hundreds of shore support businesses serving the scallop industry, such as: fish houses, ice plants, welders, painters, supply houses, electricians and trucking companies. Recently, the Council was forced to issue severe restrictions on the groundfish industry and to reduce the allowable catch for the scallop industry. Because of those restrictions, shore support businesses are less profitable today than they were last year. Eliminating another sixty small vessels from a sustainable fishery would have a significant negative ripple effect throughout the industry and may force already struggling businesses to make further cuts or to close completely.

In addition to losses by shore support businesses, commercial banks along the coast of the Eastern United States would suffer significant losses from the elimination of the small dredge fleet. The majority of small dredge owners carry a mortgage on their vessels. Eliminating the small dredge fleet would render these boats (the banks' collateral) worthless. The majority of owners would not be able to satisfy their bank loans and would be forced to declare personal bankruptcy. These owners and their families would be wiped out and local banks throughout New England and the Mid-Atlantic would be forced to write-off \$50 million - \$100 million of bad commercial fishing loans.

Furthermore, as an industry, fishermen, scientists and regulators need to focus on high priority issues, such as: (i) further reductions to bycatch through rotational management and gear modifications; (ii) additional funding for research; (iii) more collaboration amongst fishermen, scientist and regulators; and (iv) improved closed area management. It is these issues that will allow the Atlantic Sea Scallop biomass to flourish. In terms of the health and sustainability of the fishery, the elimination of the Small Dredge Program is an issue of zero impact and therefore does not warrant the Council's time and attention.

It is our belief that the Council would be ill advised to consider eliminating the small dredge fleet and we request that the Council reject this discussion outright. In addition, we ask the Council to send a strong message that future requests to revisit this issue will be met with similar opposition.

Name: PAUL LEMIEUX

Company: BLUE FLEET WELDING

Name: Shelton Harwell

Company: F/V JEAN MARIE

Name: Scott Dwyer

Company: Ontario Fisheries Inc.

Name: GLENN M OLIVEIRA

Company: F/V HUNTER

Name: Paul Dwyer
Imigrant

Company: _____

Name: Manuel Martore

Company: Whaling City SED

Name: Travis E Young

Company: F/V Sassy Girl

Name: TRAVIS E YARRINGTON

Company: _____

Name: George Bongdon

Company: F/V President

Name: Mark B

Company: Bongdon

Name: Antoine Amarat

Company: N.B. Ship Supply

Name: Cliff Bongdon

Company: Bongdon's SEAFOOD

Name: Joe Dejeu

Company: L.W.S. INC.

Name: NORVAL A STANLEY III

Company: Bongdon SED. Inc.

Name: Joe Dejeu

Company: L.W.S.

Name: MARC LARCAU

Company: LET IT RIDE CURP

Name: Ronald Fuzman

Company: LWS

Name: Pete C Inden

Company: Whaling City Arch

ed

Name: Stephen Martin
Company: Sessia

Name: Paul McNeill
Company: R.W. Jones

Name: Wil Suther
Company: Diviera Shipping

Name: Bobb Mason
Company:

Name: Brent Fulcher
Company: Fulcher Trawling

Name: Ronnie C. Wilks
Company: Fisherman

Name: Rft Le Bell
Company: LADON & SHORE ENT

Name: DAVID MOSHER
Company: R.W. Jones

Name: Andrew F. Walsh
Company: Mad J

Name: John Palmieri
Company: White Fisheries

Name: Codi J. Hynd
Company: Madi J

Name: Jeff White
Company: CMW FISHERYS

Name: Steve Wall
Company: Mad J

Name: Bill Arabian
Company: CMW fisheries

Name: Paul Arab
Company: Mad J

Name: Daryl Arabian
Company: CMW fisheries

Name: Kai Kirtland
Company: R.W. Jones

Name: CHANDLER PALMIERI
Company: CMW FISHERIES

Name: Alvin Oliveira Name: Wendell Gordon
Company: Oliveira Paintings Sons Company: Mrs. Stone

Name: Alvaro Davique Name: Chris, Mrs
Company: Oliveira Painting Sons Company: Mrs Stone

Name: Russell J. Pawa Name: [Signature]
Company: T & R Fisheries Inc. Company: Mrs Stone

Name: CIT Marques Name: Nedell [Signature]
Company: Independence Company: Jenki [Signature]

Name: Rodriguez Name: Paucal, Cny
Company: Independence Company: Ocean Lady

Name: [Signature] Name: Jane Holtzberg
Company: Independence Company: JESSICA

Name: Richard Marques Name: Lina Cercantes
Company: INDEPENDENCE Company: JESSICA

Name: Louielcio Name: [Signature]
Company: INDEPENDENCE Company: [Signature]

Name: Albert [Signature] Name: [Signature]
Company: INDEPENDENCE Company: [Signature]

Name: WARREN ALEXANDER Name: TOM BECICA
Company: ATLANTIC SHELLFISH Company: SOUTHERN CLAM CO.

Name: ROBERT MADANU Name: LESLIE HOPKINS
Company: BOB'S MARINE Company: BOB'S MARINE

Name: JANET MADANU Name: NADIA CROZ
Company: BOB'S MARINE Company: ATLANTIC SHELLFISH

Name: ROBERT EARHART Name: JAMES CROZ
Company: ATLANTIC SHELLFISH Company: ATLANTIC SHELLFISH

Name: COLLIN DAY Name: PAUL CASTELS
Company: ATLANTIC SHELLFISH Company: F.V. NADIA LEE

Name: KAREN SMITH Name: FRANK MATOS
Company: ATLANTIC SHELLFISH Company: F.V. NADIA LEE

Name: MICHAEL SMITH Name: CARLOS AMMOND
Company: ATLANTIC SHELLFISH Company: F.V. NADIA LEE

Name: STAN ALEXANDER Name: RICARDO GARZA
Company: ATLANTIC SHELLFISH Company: F.V. NADIA LEE

Name: HOLLIS NEWELL Name: MARCO SILVA
Company: ATLANTIC SHELLFISH Company: F.V. NADIA LEE

Name: Esteban Perez

Company: Nadia Lee

Name: Manuel Alfonso

Company: NADIA LEE

Name: Dwayne Notala

Company: Stacy Lee

Name: Frank Boh

Company: Stacy Lee

Name: Melvin D Cordón

Company: Stacy Lee

Name: FRANCESCO RITIKY

Company: Stacy Lee

Name: Nolan Nilsen

Company: Stacy Lee

Name: Peter I. Benson

Company: Stacy Lee

Name: Rodney Sorenson

Company: Stacy Lee

Name: Edmund

Company: Ocean Prowler

Name: Earl Chapple

Company: OCEAN PROWLER

Name: Richard Lynch

Company: Leader

Name: Thomas Saunders

Company: header

Name: Raes Garica

Company: Ocean Prowler

Name: Robert Borges

Company: Leader

Name: Todd Lentin

Company: Ocean Prowler

Name: JOHN CRAVO

Company: Ocean Prowler

Name: RW Parker

Company: RAW BAR INC.

Name: Joe Elms Name: Britnee P. Walker
Company: F/V Golden Nugget Company: F/V Golden Nugget

Name: RODNEY MURF Name: Marie Alvernal
Company: F/V GOLDEN NUGGET Company: F/V Kathryn Marie

Name: Lo Van Nguyen Name: F/V HUNTER
Company: _____ Company: _____

Name: Vincent Loran Name: Colonel Fernandez
Company: F/V Deep Voyager Company: dock worker

Name: Robert J. Baptist Name: Miguel Correti
Company: KATHRYN MARIE Company: CRYSTA ICE
Lumper

Name: Debbie Gauthreau Name: Deanna
Company: Hunter & Kathryn Marie Company: Temper
(Cleaner)

Name: Marcus Syler Name: St. J.
Company: DOCK WORK Company: Lumper

Name: Jane Jordan Name: Jane Williams
Company: KATHY MARIE Company: Former B.A Lumper ^{CRISON}

Name: [Signature] Name: Jose Verissimo
Company: dock worker Company: dock worker, Bergie's Surf

Name: [Signature]
Company: BASTE ILL.

Name: Max. J. [Signature]
Company: SAVORIAN STAR

Name: Richard Amador
Company: BDS & NE.

Name: [Signature]
Company: DOCK WORKER

Name: [Signature]
Company: FV Hunter

Name: Kathy Marie
Company: Kathryn Marie & Hunter

Name: Albert [Signature]
Company: FV Hunter

Name: [Signature]
Company: WCB

Name: WALTER BOTTA
Company: FV HUNTER

Name: _____
Company: _____

Name: [Signature]
Company: [Signature]

Name: _____
Company: _____

Name: KEVIN HART
Company: BW WATER SERVICE

Name: _____
Company: _____

Name: Teddy Lopez
Company: Bergie's Seafood

Name: _____
Company: _____

Name: Roberto Roehna
Company: Bergie's Seafood

Name: _____
Company: _____

Name: Lewis A DeMello Luis A DeMello Name: Daniel Hayes

Company: FIV SANTA BARBARA Company: White Fisheries

Name: ERIC HANSEN Eric Hansen Name: Kathryn Marie Hunter

Company: Hansen Seafaring Inc Company: Hunter

Name: DAVID LARSEN David Larsen Name: _____

Company: _____ Company: _____

Name: Tommy Ahern Name: _____

Company: HUNTER KATHRYN MARIE Company: _____

Name: GLENN M OLIVEIRA Name: _____

Company: HUNTER KATHRYN MARIE Company: _____

Name: Deane Natale Name: _____

Company: Karen Nicole Company: _____

Name: Kenneth Bran Name: _____

Company: Ocean Boy Company: _____

Name: THOMAS SANDERS Name: _____

Company: Ocean Prowler Company: _____

Name: Arliudo Dos Santos Name: _____

Company: Sovereign STAR Company: _____

Name: Richard Dubowitz

Name: Alan Da

Company: FIN C+K Inc.

Company: Fisherman

Name: Thomas Brown

Name: _____

Company: ATLANTIC SHELLFISH

Company: _____

Name: James E. Ryan

Name: _____

Company: Atlantic Shellfish

Company: _____

Name: Mark J.

Name: _____

Company: FLY JUST FORSPITE

Company: _____

Name: David H. Harte

Name: _____

Company: FLY

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Name: By Maper

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Company: Fisherman

Company: _____

Name: John W. Richardson

Name: _____

Company: Atlantic Shellfish

Company: _____

Name: PETER BARBERD

Name: _____

Company: FBS FISHERIES

Company: _____

Name: Andrew F Walsh

Name: _____

Company: CMW Fisheries

Company: _____

Name: HENRY OLIVEIRA Name: _____

Company: MIRAGE Company: _____

Name: FERNANDO HOMEM Name: _____

Company: MC LESLIE Company: _____

Name: [Signature] Name: _____

Company: Total Welding Supp Company: _____

Name: JAY ELSNER Name: _____

Company: FLV's MIRAGE/MISTRESS Company: _____

Name: Charles Maguire Name: _____

Company: Cohee & Fyles Company: _____

Name: [Signature] Name: _____

Company: MASS FAB Company: _____

Name: Jane Hardy Name: _____

Company: Trawler Abroadabra, Inc Company: _____

Name: _____ Name: _____

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Company: _____ Company: _____

Name: Kyle Koenig Name: _____

Company: Independent Contractor Company: _____

Name: [Signature] Name: _____

Company: FirstResponse Company: _____

Name: [Signature] Name: _____

Company: CSD Company: _____

Name: [Signature] Name: _____

Company: WESTON PRODUCTS Company: _____

Name: [Signature] Name: _____

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Company: Weston Products Company: _____

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Company: _____ Company: _____

Name: _____ Name: _____

Company: _____ Company: _____

Name: Donald Harvey

Name: _____

Company: White Fisheries

Company: _____

Name: Paul Allen

Name: _____

Company: White Fisheries

Company: _____

Name: Cod Thynnd

Name: _____

Company: White Fisheries

Company: _____

Name: Steve Wall

Name: _____

Company: White Fisheries

Company: _____

Name: Rick J Dawn O'Brien

Name: _____

Company: F/V Madison III

Company: _____

Name: Michael J. O'Hara Jr

Name: _____

Company: @Out-n-Clyde

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Name: Joseph P. Wall Name: _____

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Name: [Signature] Name: _____

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Company: _____ Company: _____

Name: Robert Palmeri

Name: _____

Company: CMW FISHERIES

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Name: Robert Palmeri

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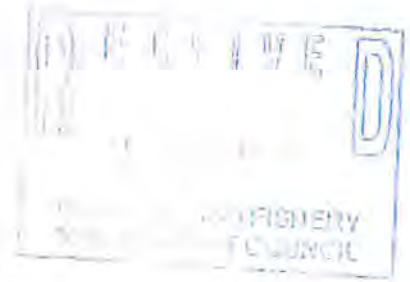
Name: _____

Company: _____

Company: _____

2d

EMPIRE FISHERIES, LLC
322 NEW HAVEN AVENUE
MILFORD, CONNECTICUT 06460



March 19, 2013

Ms. Mary Beth Tooley
Chairperson Scallop Committee
New England Fishery Management Council
50 Water Street
Newburyport, Massachusetts 01950

Dear Chairperson Tooley and Committee Members:

It seems that one segment of the scallop fleet desires to eliminate or cut back in some way another smaller segment of the scallop fleet.

I request the Committee NOT consider any revisiting of where and how the small dredge fleet was established in Amendment 4.

Respectfully,

Joseph Gilbert
F/V Regulus
F/V Furious

cc: Council, SC Cte, CBK, DB (3/25)

2e



Email received March 14, 2013

From: Cameron S. Miele [<mailto:cmiele@scallopfishing.net>]

Sent: Thursday, March 14, 2013 1:56 PM

To: Mary Beth Tooley; Mark Alexander; Tom Dempsey; David Pierce; David Preble; John Quinn; Laura Ramsden; Peter Christopher

Cc: John Bullard; Rip Cunningham; Tom Nies; David Frulla; Drew Minkiewicz

Subject: Small Dredge Scallop Fleet

Council Members,

I understand that certain members of the scallop fishery are once again pushing for the elimination (or significant modification) of the small dredge fleet. It is unfortunate that they continue to push for more personal gains at a time when we all need to be focused on priority issues such as bycatch reduction. Since I know that this issue has been raised once again and will be raised at future Council meetings, I wanted to provide the attached brief commentary on the repercussions from the elimination of the small dredge scallop fleet.

Thank you,

Cameron Miele
F/V Kathryn Marie
F/V Hunter

SMALL DREDGE EXEMPTION REMARKS

The repercussions from eliminating the Small Dredge Exemption would be devastating to hundreds of families across New England and the Mid-Atlantic. It would mean a loss of jobs and tax revenue at a time when this country cannot afford to lose either. The Magnuson-Stevens Fishery Conservation and Management Act requires that economic factors be considered when making management decisions. And from an economic standpoint the elimination of the small dredge fleet would be a net economic loss. The only benefit from eliminating the exemption would be to already highly successful boat owners as they would capture additional share of the fishery. In addition, the elimination of the small dredge exemption would not lead to additional conservation of the sea scallop resource.

1. **Jobs:** Unemployment is the number one issue facing this country. The President, Congress, State and Local Leaders, and the American People are all concerned with the high rate of unemployment. The elimination of the Small Dredge Exemption will put full-time and part-time small dredge operators out of business as the full-time boats will not remain economical as part-time boats and the part-time boats will not remain economical as occasional boats. Total employment loss from the elimination of these boats from the fleet will generate an estimated 300 – 400 newly unemployed commercial fishermen. These boats also support hundreds of shore side support jobs. Job Killing actions by the Council will be extremely unpopular and will face a long and costly political and legal fight.
2. **Priority Issues:** Fishermen, scientists and regulators need to focus on high priority issues such as: (i) improving safety; (ii) further reductions to bycatch; (iii) better funding for research; (iv) more collaboration amongst fishermen, scientist and regulators; and (v) improved closed area management. In terms of the health and sustainability of the fishery the elimination of the Small Dredge Exemption is an issue of zero importance and therefore does not warrant the Council's attention.

cc: CSR, MB (3/14)

3. **Significant Bank Write-offs and Bankruptcies:** While accurate figures are not available, anecdotal evidence suggests that the vast majority of small dredge owners carry a mortgage on their vessel. Eliminating the Small Dredge Exemption would render these boats and permits near worthless. The majority of owners would not be able to satisfy their bank loans and would therefore be forced to declare personal bankruptcy. These owners and their families would be essentially wiped out and local banks throughout New England and the Mid-Atlantic would be forced to write-off in the neighborhood of \$50 million - \$100 million of bad commercial fishing loans.
4. **Loss of Tax Revenue:** The vessels comprising the small dredge fleet contribute significant tax revenue to the Federal, State and Local governments. The remaining full-time boats that would pick up the incremental poundage would not contribute associated tax revenue sufficient to cover the lost revenue from the small dredge fleet. The elimination of the Small Dredge Exemption is a net loss in tax revenue.
5. **17-Year Precedent:** The Small Dredge Exemption has been in place for approximately 17 years and has been continually re-authorized. The boats of the small dredge fleet have earned the right through hard work and sacrifice to remain in the fishery. Precedence has been established.
6. **Backdoor Consolidation:** The Atlantic Sea Scallop fishery is sustainable. Since the fishery is not overfished there is no reason to eliminate boats from the fleet. This is not a health of the biomass issue, this is a money issue. The only motive of those that support the elimination of the Small Dredge Exemption is to garner additional pounds and force competition out of the fishery.
7. **Abandoned Vessels:** If these small dredge boats become essentially worthless their owners will have no reason to maintain the vessels and/or pay for their dockage. Those who can sell their boats will and those who cannot will leave them tied to the dock and neglected. The ports that formerly housed these working boats will now have to deal with the rusting hulks abandoned and tying up productive dock space.



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
C.M. "Rip" Cunningham, Jr., *Chairman* | Paul J. Howard, *Executive Director*

February 25, 2013

Mr. Ray Starvish
PO Box 231
Fairhaven, MA 02719

Dear Ray:

Thank you for your letter of February 11, 2013 with enclosures. I have forwarded them on to the full Council for review and consideration. As you know, the Council has discussed this specific issue several times in the past when identifying annual Council work priorities every November. I recall one Council member raising this as an issue that merits further evaluation based on previous correspondence from you to the Council. However, each year your request for consideration falls "below the line" when compared to other more important priority issues facing the scallop management program and fishery.

I will hold on to this letter for the fall and include it with meeting materials for the Council priorities discussion and vote next November 2014. I encourage you to attend that meeting and express your concerns again to the Council directly. The last few years have been very busy for the scallop management program with implementation of mandated annual catch limits and accountability measures, actions to reduce Groundfish bycatch and sea turtles, and adjustments to the recently implemented general category IFQ program.

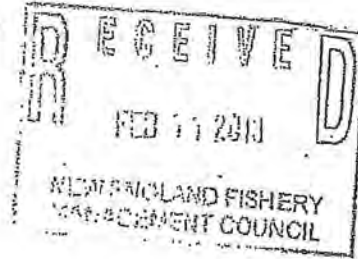
I thank you for your continued interest in fisheries management.

Sincerely,

Paul J. Howard
Executive Director

RAYMOND STARVISH

P.O. BOX 231
FAIRHAVEN, MA 02719



New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Attention: Council Members

Re: **SMALL DREDGE EXEMPTION PROGRAM**
Scallop FMP Amendment 4
50 CFR § 648.51(e) Adopted 1994

Dear Council Members:

I refer your attention to the Small Dredge Exemption Program and enclose an analysis of the *Program* as implemented in *Amendment 4*.

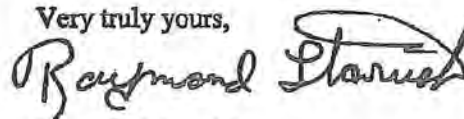
Since the implantation of the Access Area Program in 1999 and the adoption of area based quota management in 2004, the Small Dredge Exemption Program has become a loophole through which scallop vessels that would not qualify as full-time or part-time vessels are permitted to significantly increase their total landings. This is unfair and prejudicial to those vessels that qualify as full-time or part-time access permit vessels.

The Access Area Program assigns small dredge vessels the same total landings as large dredge vessels and places no limit on crew size in violation of New England Fishery Management Council's intention and objective in creating the Small Dredge Exemption Program. Accordingly and for the reasons outlined in the enclosed analysis, small dredge permit holders should be precluded from participating in access area trips because the smaller dredge size does not effectively limit their total landings.

In the alternative, I request that the Council reevaluate the Scallop Dredge Exemption Program pursuant to the Scallop Plan Development Team's recommendation, as described in further detail in the enclosed analysis.

I appreciate your time and attention to this matter. I would like to discuss this matter with you further during an upcoming New England Fishery Management Council Meeting.

P.S.
Please Listen
To The C.D.

Very truly yours,

Raymond Starvish

cc: DB (2/12)

CLINTON & MUZYKA, P.C.

ATTORNEYS AT LAW
88 BLACK FALCON AVENUE, SUITE 200
BOSTON, MASSACHUSETTS 02210

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tmuzyka@clintomuzyka.com

October 30, 2012

Mr. Raymond Starvish
P.O. Box 231
Fairhaven, MA 02719

Attention: Mr. Raymond Starvish

Re: **SMALL DREDGE EXEMPTION PROGRAM**
Scallop FMP Amendment 4
50 CFR § 648.51(e) Adopted 1994

Dear Mr. Starvish:

We refer to your request that our office investigate, evaluate, and present you with our analysis of the efficacy of the *Small Dredge Exemption Program* as implemented in *Amendment 4*.

Please take the following as our report on your request.

The Small Dredge Exemption Program was created as part of Amendment 4 to the Scallop Fishery Management Plan in order to assist Maine small boat [single dredge] scallop fishermen in continuing a traditional fishery. Since access to closed areas were opened to scallop fishing in 1999 and the subsequent adoption of area based quota management in 2004, the Small Dredge Exemption Program has become a loophole through which scallop vessels that would not qualify as full-time or part-time vessels are permitted to significantly increase their catch/production/landings. This is unfair and prejudicial to those vessels that qualify as full-time or part-time access permit vessels. Accordingly and for the reasons outlined below, the small dredge permit holders should be limited in their total allowable catch/production/landings as was the original intent in implementing the Small Dredge Exemption Program.

I. **The Objectives of the Small Dredge Exemption Program are No Longer Being Achieved.**

The NEFM Council's intention in including the Small Dredge Exemption Program into

Amendment 4 was to "allow for a continuation of a traditional fishery."¹ During the Council meeting in Mystic, CT on May 12 and 13, 1993, Council Member Bill Brennan from Maine offered a Motion on behalf of thirty-two to thirty-four [32-34] small dredge Maine scallop vessels to alter Amendment 4 to assist these fishermen. Council Chairman Brancaleone described the issue as follows:

[The next issue] is at the request of the so-called small scale fishermen, primarily from Maine. A class of vessels that basically has fished at varying levels but have been largely unrecorded in terms of their performance and landings. And largely confined their activities to the Gulf of Maine. We approve, the committee approved, a special authorization – a consideration that would allow them to use a single ten and one-half foot which I believe is the present maximum size dredge allowed in Maine. These individuals would be allowed to move from part-time, if they're so classified, or occasional, to move up one step provided they use this single dredge, only one dredge.²

Upon the request of Council Member Dick Allen, a third qualification was added that the vessels carry no more than a five [5] man crew.³ Amendment 4 includes the following:

"Gulf of Maine fishermen commented that their historical practice of scalloping in state waters and occasionally at Fippennies Ledge and Georges Bank with smaller dredge was not taken into account. Furthermore, they argued that incomplete data collection and difficulty in documenting their complete scalloping history would result in mis-classification. The Council responded by modifying the group assignment rules, the gear size restrictions, and the crew limits. Vessels would be allowed to qualify for a single category increase in days at sea allocation if they continue to use the smaller, 10.5 feet dredges throughout the year and carry a crew of no more than five while scalloping."⁴

The Small Dredge Exemption Program was instituted to allow thirty-two to thirty-four [32-34] small dredge vessels to continue a traditional fishery in the Gulf of Maine. To date, only one [1] of fifty-three [53] full-time small dredge vessels remains in the Gulf of Maine.

Furthermore, the Council believed that by reducing drag size and crew, the small dredge vessel's fishing efforts per day will be less than half of the larger vessels.⁵ The Council estimated that a small dredge vessel with a five [5] man crew will have a shucking capacity of approximately seven hundred to eight hundred pounds per day [700-800lb] as compared to a full-

¹ New England Fishery Management Council, Minutes of Meeting on May 12-13, 1993.

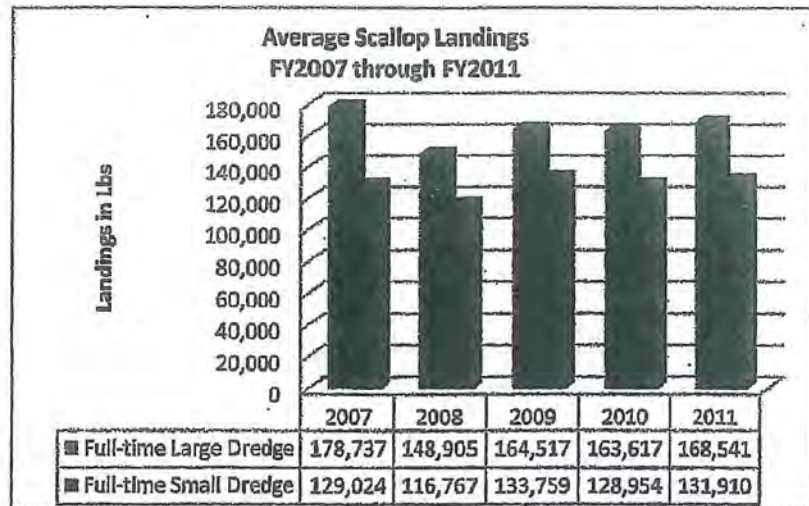
² *Id.*

³ *Id.*

⁴ National Marine Fisheries Service, *Final Amendment 4 and Supplemental Environmental Impact Statement to the Sea Scallop Fishery Management Plan*, pg. 6, 1993.

⁵ NEFMC Meeting Minutes, *supra* at 1.

time large dredge vessel that has a fifteen hundred to twenty five hundred pound [1500-2500lb] shucking capacity. This projected to approximately forty percent [40%] catch/production/landings of a full-time large dredge vessel. However and as confirmed in the chart below, drag size and crew limitations did not have the intended effect on the small dredge vessel's fishing catch/production/landings. Small dredge vessels are now landing greater than seventy percent [70%] of the average landings for a full-time large dredge vessel, a far greater percentage of landings than was originally intended in implementing Amendment 4. See Chart below.



National Marine Fisheries Service, Northeast Region, NOAA, Summary of total and average scallop landings by Full-time Large and Small Dredge vessels, FY2007-FY2011, October 9, 2012

II. The Small Dredge Exemption Program did not Account for the Access Area Program.

The Small Dredge Exemption Program has been codified in 50 C.F.R. § 648.51. As defined below, small dredge permit holders must comply with the regulation when fishing under the DAS program. When the Small Dredge Exemption Program was created in 1994, the scallop access area program, which limits access to closed areas by number of trips and catch totals, was not established.⁷

⁶ National Marine Fisheries Service, Northeast Region, NOAA, Summary of total and average scallop landings by Full-time Large and Small Dredge vessels, FY2007-FY2011, October 9, 2012:

Summary of total and average scallop landings (lb) by full-time large (category 2) and small (category 5) vessels, FY 2007 - FY 2011					
	FY2007	FY2008	FY2009	FY2010	FY2011
Total scallop landings for full-time large dredge vessels from access area trips	27,172,168	21,659,695	19,700,699	16,249,145	18,485,441
Total scallop landings for full-time large dredge vessels from open area trips	18,220,828	25,529,843	21,428,419	24,883,119	23,818,405
Total scallop landings for full-time small dredge vessels from access area trips	5,459,766	4,799,828	4,393,279	3,211,844	3,574,855
Total scallop landings for full-time small dredge vessels from open area trips	1,513,521	1,452,705	2,854,932	3,463,788	3,284,433
Average scallop landings per full-time large dredge vessel from access area trips	107,622	86,981	78,809	64,491	73,647
Average scallop landings per full-time large dredge vessel from open area trips	70,041	82,344	89,714	92,138	94,694
Average scallop landings per full-time small dredge vessel from access area trips	100,993	88,830	82,708	61,768	69,749
Average scallop landings per full-time small dredge vessel from open area trips	28,022	27,957	51,056	67,105	63,162

⁷ Report run on October 2, 2012
Source: Data Matching and Integration System, Northeast Regional Office

⁷ 50 C.F.R. § 648.60.

(e) Small dredge program restrictions. Any vessel owner whose vessel is assigned to either the part-time or

Georges Bank closed areas were opened to scallop fishing commencing in 1999 by Framework 11 (CAII) and later by Framework 13 (CAII, CAI, NLS).⁸ Frameworks 14 and 15 provided controlled access to Hudson Canyon and VA/NC areas.⁹ The following chart outlines the number of Access Area trips allotted to full-time vessels and part-time permit holders that opted to become full-time small dredge vessels. See Chart below.

Table 2. DAS and trip allocations per full-time vessel

Year	Allocations based on the Management Action	Total DAS Allocation (1)	Estimated Open area DAS allocations (2)	Access area trip allocations (3)	DAS charge per access area trip (4)	DAS allocation credits for access areas (5)
1994	Amendment 4	204	None	None		None
1999	Amendment 4	182	None	None		None
1996	Amendment 4	182	None	None		None
1997	Amendment 4	184	None	None		None
1998	Amendment 4	142	None	None		None
1999	Amendment 7	120	00 to 120	3	10	0 to 30
2000	Framework 11	120	00 to 120	6	10	0 to 60
2001	Framework 13	120	00 to 120	3	10	0 to 30
2002	Framework 14	120	00 to 120	3	10	0 to 30
2003	Framework 15	120	00 to 120	3	10	0 to 30
2004	Framework 16	120	40 (MAX 60)	7	12	00
2005	Framework 16	100	40 (MAX 177)	5	12	00
2006	Framework 16	112	62	5	12	00
2007	Framework 18	111	51	5	12	00
2008	Framework 19	95	35	5	12	00
2009	Framework 19	92	37	5	12	00
2010	Framework 21	85	39	5	12	00
2011	Framework 22	85	32	4	12	00
2012	Framework 22	82	34	4	12	00

Total DAS allocation per full-time vessel represents a rough estimate for years 2004-12 since DAS is allocated for open areas only. DAS allocation for access areas is estimated by assuming an equivalent 12 days-at-sea charge for each access area trip with a possession limit of 18,000 pounds.

As noted in the table below, there was a dramatic increase in the numbers of full-time and part-time small dredge vessels after the year 2000. This increase in small dredge permit holders corresponds with the introduction of the Access Area Program, where small dredge vessels received the same number of access trips, pounds, and crew size, as full-time large dredge vessels. By the year 2010, fifty-four [54] part-time scallop vessels upgraded to full-time small dredge vessels and thirty-five [35] occasional scallop vessels upgraded to part-time small dredge vessels.¹⁰ See Chart below.

Occasional category may request, in the application for the vessel's annual permit, to be placed in one category higher. Vessel owners making such request may be placed in the appropriate higher category for the entire year, if they agree to comply with the following restrictions, in addition to, and notwithstanding other restrictions of this part, when fishing under the DAS program described in § 648.53:

- (1) The vessel must fish exclusively with one dredge no more than 10.5 ft (3.2 m) in width.
- (2) The vessel may not use or have more than one dredge on board.
- (3) The vessel may have no more than five people, including the operator, on board, except as follows:
 - (i) There is no restriction on the number of people on board for vessels participating in the Sea Scallop Area Access Program as specified in § 648.60;
 - (ii) The Regional Administrator may authorize additional people to be on board through issuance of a letter of authorization.
 - (iii) A certified at-sea observer is on board, as required by § 648.11(g).⁷

⁸ Proposed Framework 24 SAFE Report, Appendix I, distributed at the NEFMC Scallop PDT Meeting on August 20-21, 2012.

⁹ *Id.*

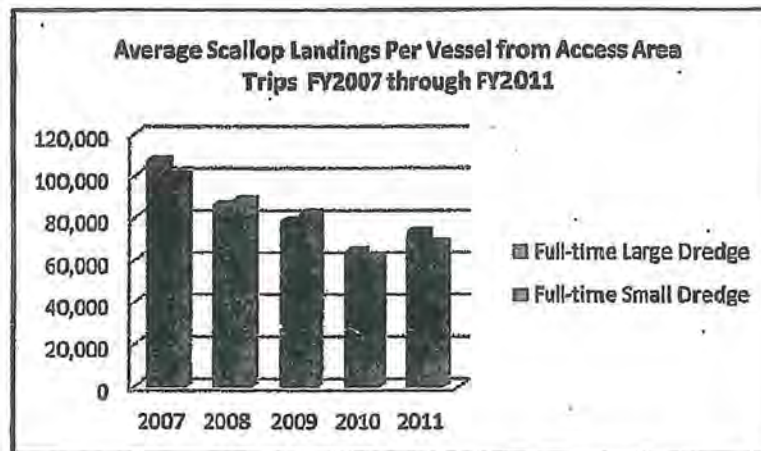
¹⁰ *Id.*

Table 11. Number of limited access vessels by permit category and gear

Permit category	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Full-time	220	224	234	239	242	248	255	263	254	269	252	263
Full-time small dredge	3	13	26	39	48	57	59	63	66	56	64	53
Full-time net haul	17	19	18	18	15	19	14	12	11	11	11	11
Total full-time	240	256	278	296	305	324	328	331	331	326	317	316
Part-time	16	14	14	10	4	3	5	2	2	2	2	2
Part-time small dredge	4	6	8	19	26	30	34	35	32	34	34	32
Part-time trawl	20	18	10	8	8	-	-	-	-	-	-	-
Total part-time	40	36	32	37	39	33	37	37	34	37	36	34
Occasional	4	5	4	3	3	1	2	1	1	-	-	-
Occasional trawl	18	19	15	8	6	5	-	-	-	-	-	-
Total occasional	25	24	19	11	8	6	2	1	1	0	0	0
Total limited access	300	316	329	346	348	363	367	369	366	361	363	350

Notes: The permit numbers above include duplicate entries because replacement vessels receive new permit numbers and when a vessel is sold, the new owner would get a new permit number.

After 2000, part-time and occasional permit holders began taking advantage of the Small Dredge Exemption Program because the reduction in gear size had little effect/impact during Access Area trips. Vessels fishing in closed areas are limited in total allowable catch, not days at sea. Small dredge vessels can fish in access areas *with a full crew* for as long as necessary in order to catch their allocated pounds. Therefore, the only disadvantages to having a smaller dredge during access area trips are the additional trip expenses, such as food and fuel. As indicated on the chart below, the average landings for full-time large dredge and full-time small dredge vessels remains almost the same, and in some cases the average landings per small dredge vessels exceeds those by large dredge vessels. *See Chart below.*



Summary of total and average scallop landings by Full-time Large and Small Dredge vessels, FY2007-FY2011

The intended plan for the Small Dredge Exemption Program was that by restricting the dredge and crew size, vessels would automatically catch less than the full-time large dredge vessels. Therefore the limit in dredge and crew size would counteract the increase in days at sea and there would not be a significant impact to the scallop fishery. However, the limitation of having a small dredge has very little impact on the total landings of small dredge vessels during

¹¹ National Marine Fisheries Service, Northeast Region, NOAA, Summary of total and average scallop landings by Full-time Large and Small Dredge vessels, FY2007-FY2011, October 9, 2012.

access area trips. The Access Area Program has created a substantial loophole for all part-time and occasional permit holders to increase their days at sea and total landings, despite the fact that the current small dredge fishermen are not the Maine fishermen that the Small Dredge Exemption Program was created to protect.

III. No environmental impact statement was completed for the Small Dredge Exemption Program implemented in Amendment 4

Among each Council's primary tasks is the development and maintenance of a fishery management plan (FMP) for each fishery under its control. The MSA imposes content requirements on these FMPs, which must ultimately be approved by the National Marine Fisheries Service (NMFS), acting on behalf of the U.S. Secretary of Commerce.¹² Under NEPA, an agency is required to evaluate and make public the environmental consequences of its proposed action.¹³ However, the Council failed to evaluate the potential impact that the Small Dredge Exemption Program will have on the scallop fishery.

In 2004, the Scallop Plan Development Team acknowledged the increasing number of small dredge permit holders in a "Scallop management advice" memorandum to the Scallop Oversight Committee:

Another issue related to the changing characteristics of the fishing fleet and capacity is the increasing number of small dredge permits, which have increased from 7 permits in 2000 to 63 permits in 2004 (with a corresponding decrease in part-time and occasional full-size dredge and trawl permits from 55 to 13). More analysis is needed to determine how this change in permits has affected DAS allocations to limited access vessels and fishing mortality, which may be a suitable focal point for the 2005 SAFE Report. More important to this potential re-evaluation would be a determination of the past and present objective of the small dredge permit, so that it can be determined whether the present system is achieving this objective. (underscoring our emphasis).¹⁴

As the total number of small dredge permit holders increased, it became clear that part time permit holders were opting to engage in the small dredge program solely for the greater number of days at sea. The increase in small dredge permits and landings was never reviewed, despite the Development Team's recommendations that the small dredge program be evaluated for its impact on the scallop fishery.

IV. Conclusion

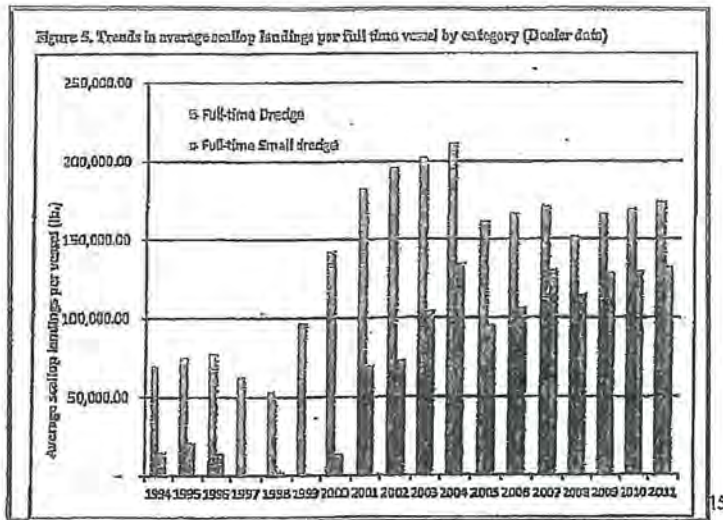
The objective of the Small Dredge Exemption Program was to protect and encourage a traditional fishery in the Gulf of Maine. However, only one [1] of fifty-three [53] full-time small dredge vessels remain in the Gulf of Maine. Furthermore, the objective that a smaller dredge and crew size will reduce the small dredge vessel's catch/production/landings is no longer valid.

¹² 16 U.S.C. §§ 1852, 1853(a)(15), and 1854.

¹³ *Oceana, Inc. v. Locke*, 831 F. Supp. 2d 95, 124 (D.D.C. 2011) citing 40 C.F.R. § 1502.14.

¹⁴ Scallop Plan Development Team Memorandum to Scallop Oversight Committee, dated September 1, 2004.

Full-time small dredge vessels catch approximately seventy percent [70%] or more of their full-time large dredge counterparts. The increase in small dredge vessel landings illustrated in the table below is a result of the implementation of the Access Area Program and subsequent increase in small dredge permit holders. See Chart below.



Proposed Framework 24 SAFE Report

In view of the foregoing and to comply with the intent and objectives of the Small Dredge Exemption Program, we recommend that the small dredge permit holders be exempted from participating in access area trips because the smaller dredge size does not effectively limit their total catch/production/landings. When the Small Dredge Exemption Program was created, the Council envisioned that the small dredge and limited crew will result in less than half of the landings of a large dredge and fully crewed vessel. Clearly the subsequently implemented Access Area Program, which allots small dredge vessels the same total landings as large dredge vessels and places no limit on crew size, violates the NEMF Council's intention and objective in creating the Small Dredge Exemption Program.

In the alternative, we recommend that the New England Fishery Management Council honor the Scallop Plan Development Team's recommendation and reevaluate the Scallop Dredge Exemption Program to determine whether the present system is achieving its original and intended objectives.

We trust the foregoing sufficiently responds to your request to our office. We look forward to the opportunity to discuss this matter with you further upon your return.

If we can provide you with any further evaluation or explanation, please do not hesitate to advise.

Very truly yours,

Thomas S. Muzyka

¹⁵ Proposed Framework 24 SAFE Report, *supra* at 8.

Feb. 7, 2013

Hi Paul,
on the tapes you heard Richard
Roe (R.A.) at the time, say the staff
would have to write for the Secretary's
review of the justification, rationalization
analysis of the Small Dredge program.

My request is a copy of this
justification, rationalization, analysis
the staff submitted to the Secretary,
also I would like a copy of the
analysis of the economic effects
the Small Dredge program would
have on the fishery.

Regards,
Ray Starvish

P.S.
E mail RASSTARVISH@

cc: DB (2/12)

FAIRHAVEN - MA - 02719

April 17, 2013

New England Fisheries Management Council
Attn: C.M. "Rip" Cunningham, Jr.
50 Water Street, Mill 2
Newburyport, MA 01950



Dear Chairman,

I am asking for The Council to consider a change in the way observer coverage is financed in the scallop fishery.

Please consider the following:

The scallop fishery is unique in that the vessel makes direct payments to the observer service provider. The vessel then needs to fish additional pounds or fractions of D.A.S. to recoup or offset the financial burden incurred by carrying the observer.

The reason for carrying observers is to accumulate data that is then used in the science to best manage the fishery.

In the past a vessel taking a late season closed area trip would find itself carrying an observer after the scallop observer set aside was exhausted with the vessel bearing the entire financial burden with no offset or compensation.

Presently we have access areas with very low catch rates. When a vessel is assigned an observer for one of these access areas, it becomes very stressful and burdensome to prolong the trip to catch the allocation and the observer compensation pounds. A trip limit of 13,000 lbs could take a single dredge vessel averaging 500 lbs a day a full 26 days or more to achieve its goal. As more vessels extract their trips, catch rates will drop further. A vessel must mobilize twice and perhaps three times as catch rates drop. An observer assignment to a trip that lasts 13 days will add four or more fishing days for the vessel to harvest its compensation pounds.

We typically limit our trips to eleven days for product quality reasons. For a vessel to harvest 13,000 lbs at a catch rate below 500 lbs a day presents fishing strategy logistic and financial problems.

Assume two 13 day trips at hopefully 500 lbs a day, then add four or more days to recoup observer costs and it becomes near impossible to successfully harvest and overcome costs associated with fishing an access area with low catch rates. Fuel costs, gear expenses, fixed overhead, wear and tear, all dictate that vessels must operate with maximum efficiency in today's economy. The condition of certain

cc: Council, DG C4/19

access areas, combined with the vessels responsibility to the observer creates great inefficiencies and uncertainties for the vessel. If an observer is assigned to more than one segment of the trip the formula for success becomes even more impossible.

The scallop industry is experiencing severe cut backs in 2013 and 2014. In order to ease the burden of reduced fishing opportunities and maintain the viability of a healthy pro-active industry, I request a dialogue to address funding of the observer program.

The open area observer program may function well at the moment; however, the access area program doesn't and deserves a long-term solution to remove variables and uncertainties that affect the fleet.

The direction I would suggest is that in order to facilitate the gathering of data by observers for scientific inputs to fisheries management, the funding source needs to change. Let the fleet's set aside pounds be redistributed in annual fishing year specifications and have the funding for science (observers) be allocated from other sources intended for that purpose, such as S-K money.

I feel this is a consequence arising from unforeseen circumstances that have developed in our fishery. The scallop fishery and the scientific and regulatory communities all benefit from observer data but this data now comes at too high a cost. The scallop fleet has always been a willing partner in science and accumulation of data; however, carrying an observer can be viewed as a penalty in some access areas and before an aversion to willing participation develops, this could and deserves to be addressed.

Respectfully submitted,

Joseph J. Gilbert
F/V Regulus & F/V Furious
322 New Haven Ave.
Milford, CT 06460

203-876-8923

WILLIAM R. KEATING
9TH DISTRICT, MASSACHUSETTS

COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEES
RANKING MEMBER
EUROPE, EURASIA, AND EMERGING THREATS
ASIA AND THE PACIFIC

COMMITTEE ON HOMELAND SECURITY
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PROTECTION, AND
SECURITY TECHNOLOGIES



Congress of the United States
House of Representatives
Washington, DC 20515

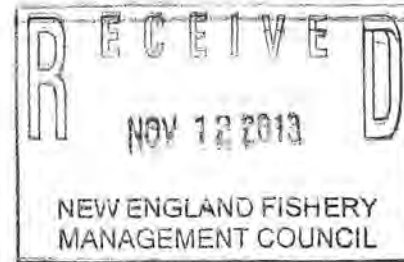
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NEW BEDFORD, MA 02740
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PLYMOUTH OFFICE
2 COURT STREET
PLYMOUTH, MA 02360
(508) 746-9000

November 7, 2013



E.F. "Terry" Stockwell III
Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear Chairman Stockwell:

As the New England Fishery Management Council is poised to meet on November 20 to discuss priorities for the 2014 fishing year, I respectfully ask that the Council omit consideration of the single dredge permit exemption for the scallop fishery.

As you know, the prosperity of the scallop industry is vital to that of New Bedford, greatly contributing to \$400 million dollars in direct annual revenue and reaffirming New Bedford's position as the nation's highest grossing fishing port for thirteen consecutive years. There are approximately twenty single dredge vessels operating out of New Bedford, which employ around 75 to 100 employees. The elimination of this exemption would cause these vessels to cease operation and would incidentally inflict unnecessary negative financial impacts upon our fishermen, their families and the New Bedford fishing community.

I have heard repeated concerns from scallopers that the repeal of this exemption would adversely impact their livelihood and, thus, the economy of New Bedford. While proponents of this repeal assert that it would protect the scallop industry, the industry maintains that it would instead shift their profits from one group of vessels to another.

The successful management of our scallop fishery is a recognized model for the management efforts of other struggling fisheries. I respectfully urge you to forgo discussion of the elimination of this exemption as it will only diminish the confidence of our fishermen in this, currently, effectively and impartially managed fishery. Thank you for your full and fair consideration of this letter. I look forward to working closely on these initiatives moving forward.

Sincerely,

WILLIAM R. KEATING
Member of Congress

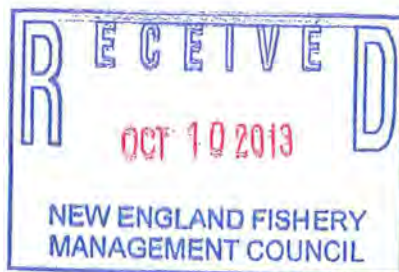
cc: DB (11/14)

HERRING PRIORITIES



Ocean River
INSTITUTE

Protecting the Commons



*"All at last return
to the sea—to Oceanus,
the ocean river, like the
ever-flowing stream of
time, the beginning
and the end."*

— Rachel Carson,
The Sea Around Us

October 10, 2013

Dear Mr. Nies:

We urge NOAA Fisheries to approve efforts by both the New England and the Mid-Atlantic Fisheries Management Councils to establish federal management of river herring and shad in the formerly completely saltwater Atlantic mackerel and herring fisheries.

We urge establishment of strong annual catch caps, improved observer coverage, and a dramatic decrease in fish deaths as bycatch and at-sea-dumping, "slippage," of unobserved catches.

The Mid-Atlantic Council's Amendment 14 to the Mackerel, Squid, and Butterfish Fishery Management Plan and the New England Council's Amendment 5 to the Atlantic herring plan are worthy of your support in their entirety as developed by the Councils.

Designation adding river herring and shad to these two federal fishery management plans would enable more responsible management and stewardship by the Councils and NOAA Fisheries.

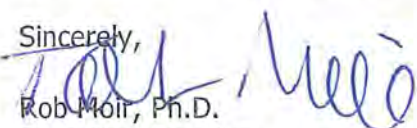
Designation would rebuild river herring and shad populations in four ways.

1. Gather better data and improve the population estimates of river herring and shad.
2. Coordinate with state and local efforts to restore river herring and shad.
3. Identify and protect habitats essential for river herring and shad.
4. Set science-based annual catch limits.

We strongly support taking these actions for both conservation of river herring and shad, and for sustainable seafood of these fish and of their predators. We must strive to leave Atlantic marine life better off than how we found it, if not for our enjoyment than for future generations.

Thank you for your consideration of our requests for responsible stewardship.

Sincerely,


Rob Moir, Ph.D.
Executive Director

and 1,147 individuals with comments (see attached)

Sybille Castro
P.O. Box 1849
Kenai, AK 99611

We have simply GOT to save the fish - ALL
the fish. SAVE them. Thank you.

Beth Norwood
2002 Wooddale Drive NE
Huntsville, AL 35801

Karen Spradlin
307 Wilson Dr. SW
Jacksonville, AL 36265

Jonathan Mitchell
109 Cove Pointe Way
Madison, AL 35757

All species are dependent on one another.
We cannot make enough profit to equal
the value of your children's future.

Jerry Freeman
PO Box 622
Odenville, AL 35120

Carol Joan Patterson
1421 CR 323
Eureka Springs, AR 72632-9218

Claudia Adamson
2961 North John Wayne Drive
Fayetteville, AR 72703

Stop messing up the natural world.
Janet Tucker
108 N. Hartman
Fayetteville, AR 72701

Loren Loberg
16 Coronado Lane
Hot Springs Village, AR 71909

Wm & Marianne Sherman
106 Flintridge Drive
Mountain Home, AR 72653

Do the right thing.
Irene Huskisson
3407 Peggy St.
Springdale, AR 72764

Designation would rebuild river herring
and shad populations in four ways:
1.Gather better data and improve the
population estimates of river herring and
shad. 2.Coordinate with state and local
efforts to restore river herring and shad.
3.Identify and protect habitats essential
for river herring and shad. 4.Set science-
based annual catch limits.

Elaine Balgemann
2255 E Balsam Circle
Mesa, AZ 85204

Patricia Kerstner
15605 S. 7th Place
Phoenix, AZ 85048

Dianne Douglas
2723 E Valencia Drive
Phoenix, AZ 85042

Elizabeth Hunter
1125 W. Willetta St.
Phoenix, AZ 85007

Terry Tedesco-Kerrick
3042 E Squaw Peak Circle
Phoenix, AZ 85016

We must look at the ecosystem to sustain
marine life. All life is dependent upon
another life, losing one can cause a
collapse of all others.

Susan Moran
P. O. Box 661
Saint David, AZ 85630

Karen Kravcov Malcolm
30821 N. 138th St.
Scottsdale, AZ 85262

Every living being is part of an
interconnected web of life. What affects
one, affects all of us. It is in our best
interest to care for the life of all beings.

Patricia Orlinski
10511 W. Kingswood Circle
Sun City, AZ 85351-2246

Linda Bescrypt
8882 E Maxwell Dr
Tucson, AZ 85747

Ruth Bescrypt
8882 E Maxwell Dr
Tucson, AZ 85747

Betty Schuessler
2025 E 3rd Street
Tucson, AZ 85719

Michael Schuessler
2025 E Third St
Tucson, AZ 85719

Act now for the future.
Judith Tuck
3521 E 23rd St
Tucson, AZ 85713

Mijanou Bauchau
1941 Lookout Drive
Agoura, CA 91301

Alex Mummery
2433 Buena Vista Ave., #A
Alameda, CA 94501

Grant Foerster
731 Talbot Ave
Albany, CA 94706

I actually caught a shad as a child on the
Deleware River. I'd like to see more.

Bob Miller
17 Florentine
Aliso Viejo, CA 92656

Jenny Wilder
19607 Sandy Ln
Apple Valley, CA 92308

Elissa Wagner
528 Encino
Aptos, CA 95003

The small fish need to be spared from
utter decimation in order to replenish
future stock and more importantly, TO

FEED AND SUPPORT WHAT LITTLE
EXISTING "MEGAFUNA" WE HAVE LEFT!
Anne & Joseph Klein
700 East L St
Benicia, CA 94510

The whole ecosystem needs a healthy
supply of these types of forage fish,
otherwise we risk losing all of the larger
animals that need them to survive. We
need to stop raping the seas and
waterways indiscriminately.

V. Joseph Klein
700 East L St
Benicia, CA 94510

Corinne Greenberg
626 the Alameda
Berkeley, CA 94707

Herring and shad may be little fish, but
they fulfill big functions in healthy marine
systems.

Mary Harte
1180 Cragmont Ave
Berkeley, CA 94708

Joe Loree
2159 Acton St
Berkeley, CA 94702

Barbara Dinow
342 N Oakhurst Drive
Beverly Hills, CA 90210

The human population keeps growing. We
need to preserve what we have.

Johanne Zell
2884 Redondo Ave.
Camarillo, CA 93012

Kerri McGoldrick
2269 Vestal st
Castro Valley, CA 94546

Greg Rosas
4353 Edwards ln
Castro Valley, CA 94546

James Kirks
11 Hemming Lane
Chico, CA

Callie Riley
8054 Oak Avenue
Citrus Heights, CA 95610

Steve Iverson
308 Fernleaf Ave Unit C
Corona Del Mar, CA 92625

Tim Zorach
1800 Redwood Road
Corralitos, CA 95076

Kristina Fukuda-Schmid
11250 Garfield Ave.
Culver City, CA 90230

Anthony Edwards
2533 Via Pisa
Del Mar, CA 92014-3815

If you kill off the aunts or uncles in a family, imagine how much smaller the bloodline would be in years to come. The same goes for fish, or any member of an ecosystem. There are no exceptions. You can't say, "Oh, it's OK. They are just a couple species." If you kill off one species, then you start to kill off other members of the ecosystem as well. If nothing else, it's simply math. Every species and family is necessary to our survival.

Mark Tokarczyk
P.O. Box 572
Del Mar, CA 92014

Rebecca Hoeschler
328 E. Imperial Ave, No. 5
El Segundo, CA 90245

Please support the responsible conservation of Atlantic marine life for the environment and for future generations. This is too important to neglect.

Catherine Lanzl
501 Sweet Pea Place
Encinitas, CA 92024

Susan Turney
467 Fulvia Street
Encinitas, CA 92024

Susanne Burcin
3114 Via Loma Vista
Escondido, CA 92029

Geraldine Card-Derr
237 North D Street
Exeter, CA 93221

Toni Wolfson
11891 Lake Blvd
Felton, CA 95018

Debi Bergsma
15376 rockwell avenue
Fontana, CA 92336

Because it is the Natural thing to do.
Charles Warner
12020 Sherwood Court
Fontana, CA 92337-0433

John R Donaldson
4559 N DeWitt
Fresno, CA 93727

Nancy Kelly
1624 E. Hedges Ave.
Fresno, CA 93728

Mark Mazhnyy
7691 N. Erie Ave
Fresno, CA 93722

Fisheries are vital resources that help keep us alive. I consume fish regularly and do not care to see fish stocks depleted to the point where fish is no longer a viable dietary option. Such a thing could happen if we are not careful, especially with a global population of over 7 billion.

Louis McCarten
PO Box 684
Glendale, CA 91209

Leonard Bruckman
8595 Kingsgate Drive

1,147 Signers with Comments for Saving River Herring and Shad

Granite Bay, CA 95746

Michael Toobert
212 Mallard Dr
Grass Valley, CA 95945-5745

Roz Cobb
125 Corte Anita
Greenbrae, CA 94904

Kylie Cobb
125 Corte Anita
Greenbrae, CA 94904

Melissa Barouch
16510 Wain Place
Hacienda Heights, CA 91745

We need these protections to be
responsible stewards of our world.
Morgan Kanae
1505 N Irwin St
Hanford, CA 93230

Caroll Fowler
243 Poplar Av.
Hayward, CA 94541

Erika Whitton
2235 Watermarke Place
Irvine, CA 92612

Bruce Odelberg
33900 Dangberg Drive
Kirkwood, CA 95646

Carol Changus
324 Belvedere Street
La Jolla, CA 92037-5307

Robert Reed
16635 Alviso Ct
Lake Elsinore, CA 92530

C'MON, YOU GUYS, DO THE JOB WE
VOTED YOU IN FOR.

Karen Clarke
Watford Ave
Lancaster, CA 93535

This will benefit all life.
Pamela Kelly
1356 Linden Avenue
Long Beach, CA 90813-3326

Michael Ziegler
218 Prospect
Long Beach, CA 90803

Every species in the web of life matters!
Rebecca Barker
512 South St. Louis Street
Los Angeles, CA 90033

Diane Berliner
2160 Laurel Canyon Blvd
Los Angeles, CA 90046

Jeffery Dorer
5818 Fayette St, Apt 1
Los Angeles, CA 90042

Michael W Evans
3731 S Sepulveda Blvd, Apt 1
Los Angeles, CA 90034-6888

O Lewis
P.O. Box 881075
Los Angeles, CA 90009

Nancy Lilienthal
1537 Glenville Drive
Los Angeles, CA 90035

Nick McNaughton
PO Box 27612
Los Angeles, CA Los Angeles

Ken Mundy
3650 Regal Place, Apt 37
Los Angeles, CA 90068

Nancy Oliver
2254 Moreno Dr.
Los Angeles, CA 90039

Candy Rocha
651 Echandia St.
Los Angeles, CA 90033

Every living thing serves a purpose.
Richard Rosenthal
1328 S Sierra Bonita Av
Los Angeles, CA 90019

Amber Tidwell
2420 1/2 N Beachwood Dr
Los Angeles, CA 90068

Ken Windrum
511 S. Serrano Ave., #405
Los Angeles, CA 90029

Jacqueline Schuck
962 Hilgard Ave. # 102
Los Angeles, CA 90024

Babette Bruton
15921 Linda Ave
Los Gatos, CA 95032

Rob Seltzer
18408 Clifftop Way
Malibu, CA 90265

Karla Devine
1406 11th St
Manhatta Beach, CA 90266

Shanna Brandow
4628 Glencoe Ave. #3
Marina Del Rey, CA 90292

It is important to protect all our river and
ocean creatures and their habitats,
because by doing so we are protecting our
future as well!!
Therese Steinlauf
13900 Panay Way R102
Marina del Rey, CA 90292

Pandora Edmonston
4279 Grist Road
Mariposa, CA 95338

Rebecca McDonough
455 San Mateo Drive
Menlo Park, CA 94025

Carol Taggart

1705 Valparaiso Ave
Menlo Park, CA 94025

Gabriel Sheets
1620 Shirley St
Merced, CA 95341

Our waterways and the wildlife they
support are a direct reflection of the health
of our environment and therefore our own
viability. Anyone knows this.

Darcy Skarada
14215 Big Canyon Rd
Middletown, CA 95461

For our health and because we love the
children.

Renee Locks
325 Richardson Way
Mill Valley, CA 94941-4051

All fish are critical to protect and over-
fishing is a Huge issue, along with
catastrophic by-catch deaths. This must be
stopped now!

Melissa Polick
280 Loring
Mill Valley, CA 94941

Jan Roberts
3622 Bridgeford Ln
Modesto, CA 95356

We must protect the food chain. It is the
foundation for a balanced ecosystem.

Heather Cauldwell
28 Helvic Road
Monterey, CA 93940

Jim Curland
P.O. Box 806
Moss Landing, CA 95039

I have always loved fish, not just eating
them, but observing and appreciating their
amazing lives in the ocean. I will support
anything that helps fish and their habitats
thrive. Taking an ecosystem based
approach to fish management is crucial to

their survival. Thank you for your time and consideration.

Julie Amato
2091 San Luis Avenue, Apt. #10
Mountain View, CA 94043--2806

Oakland, CA 94607

C Givens
1608 4th Ave.
Oakland, CA 94608

I have 2 granddaughters under age 13 and I want this worlds' diversity to be intact for them. You need to be part of the solution to gurantee that goal.

Kate McDermott
191 E El Camino Real #175
Mountain View, CA 94040

Janice Gloe
3100 Guido Street
Oakland, CA 94602

Chelsea Madison
4386 Detroit Ave
Oakland, CA 94619

Nancy Brenner
37258 Huckaby lane
Murrieta, CA 92562

Please do everything possible to save the health of all populations of herring and shad. It is so important to us all.

Claire Chambers
38118 Calle Quedo
Murrieta, CA 92563

Because ALL life matters - not just the creatures and plants that can turn a profit for human greed.

Susan Martin
32 Glen Ave
Oakland, CA 94611

J Mcpeters
355 Granite Ave
Oakland, CA 95521

Save river herring and shad. They are essential to the health and balance of Healthy Rivers.

Gerry Collins
25222 Madrin
Murrieta, CA 92563

Sharlene White
3540 Sky Haven Ln
Oceanside, CA 92056

Vidya Sims
US Highway 101 N
Orick, CA 95555

Catherine George
1836 Locust Street
Napa, CA 94559

We are all related and these fish, which feed the fish the rest of us want to eat.

Verona Murray
P.O.Box 5038
Oroville, CA 95966

Diana Deen
12814 Victory Bl
North Hollywood, CA 91606-3013

Carol Nahin
48927 Phlox Pl
Palm Desert, CA 92260

Brian Campopiano
14 Taft Court
Novato, CA 94947

Deborah Hirsch
2392 Miramonte Circle East
Palm Springs, CA 92264

Eleanor Cohen
907 Glendome Circle
Oakland, CA 94602

John R Poole
220 Lei Drive
Palm Springs, CA 92264

Robert Ellis
1919 Market St

Maryellen Redish
671 S. Riverside Dr. #6
Palm Springs, CA 92264

Ellen Segal
1066 E. San Jacinto Way
Palm Springs, CA 92262

Therese Ryan
37310 36th St. E
Palmdale, CA 93550-2569

We MUST protect our rivers and streams.
Water will become THE significant issue
within this century. A balanced ecosystem
is vital to water health.

Jennifer Kelly
1750 University Ave.
Palo Alto, CA 94301

Richard Harvey
2430 Geneseo Road
Paso Robles, CA 93446

We must conserve those species which the
entire ecosystem relies on! If not, the
entire ecosystem will collapse. We must
manage our resources wisely so future
generations can enjoy the marine life with
which we are fortunate to share our earth.

Cynthia Fernandez
1400 Pinnacle Court
Point Richmond, CA 94801

Jon Silver
355 Portola Road
Portola Valley, CA 94028

Barbara Diederichs
12956 Christmal Lane
Poway, CA 92064

Hunter Wallof
12340 SFD
Pt. Reyes, CA 94956

Joan Forman
1743 Axenty Way
Redondo Beach, CA 90278

Carlos Nunez
18009 Victory Blvd
Reseda, CA 91335

Sharon Mulgrew
1200 Brickyard Way
Richmond, CA 94801

Susan Watts
16217 Sunset Trail
Riverside, CA 92506

WE ARE WELL INTO THE 6TH MASS
WORLD EXTINCTION EVENT RIGHT NOW.
YET ANOTHER WHOLE, ENTIRE SPECIES
GOES EXTINCT EVERY 20 MINUTES NOW
WITHOUT FAIL. WE MUST STOP THIS
TERRIBLE THING FROM CONTINUING.
HERRING AND SHAD ARE JUST AS
IMPORTANT AS EVERY OTHER SINGLE
SPECIES ON THIS WORLD. WE MUST
SAVE AS MANY SPECIES AS WE CAN! WE
MUST ALL PAY ATTENTION AND STOP
KILLING THINGS OURSELVES, AND MAKE
THE REST OF THE WORLD STOP AS WELL.
THESE FISH DESERVE TO SURVIVE!

Susan Ibarra
583 Laguna Dr.
Rohnert Park, CA 94928

Lisa Steele
1517 East Colonial Pkwy
Roseville, CA 95661

Camile Getter
4441 G Street
Sacramento, CA 95819

Sarah Hafer
1401 Wyant Way
Sacramento, CA 95864

Karen Jacques
1414 26th Street
Sacramento, CA 95816

Judith Lippincott
6352 Seastone Wy.
Sacramento, CA 95831

Lorraine Lowry
201 West Mall
Sacramento, CA 90244

Sharon Nicodemus
2710 Danube Dr.
Sacramento, CA 95821

Colleen Lobel
8111 Kenova St
San Diego, CA 92126

Marita Mayer
12 Austin Ave
San Anselmo, CA 94960

Patricia Brown
423 Wellington Drive
San Carlos, CA 94070

We are the only ones that can protect our earth and the species that help us all live. We should sustain all we can as it will sustain us.

Karen Babcock
555 Front St. unit 903
San Diego, CA 92101

Alan Haggard
1828 Gateway Dr.
San Diego, CA 92105-5104

Teri Herron
4674 Ohio St, Apt 7
San Diego, CA 92116

Laura Jones-Bedel
4734 E. Mountain View Dr.
San Diego, CA 92116

Peter Kuhn
3611 Vista de la Bahia
San Diego, CA 92117

Lance Robert
889 Date St #226
San Diego, CA 92101

Robert Slavik
5690 Meredith Avenue

San Diego, CA 92120

Marly Wexler
4314 1/2 Campus Ave
San Diego, CA 92103

Ramon Apodaca
520 Natoma St. #1
San Francisco, CA 94103

Svetlana Filipson
172 Terra Vista Ave
San Francisco, CA 94115

Julie Kramer
1288 Church
San Francisco, CA 94114

Cheryl Lewis
1390 Market St. #2301
San Francisco, CA 94102

Janet Ma
1445 Leavenworth St
San Francisco, CA 94109

We humans have polluted this beautiful planet to the point that many of the wonderful species that inhabit it with us are extinct or almost extinct. By using an ecologically based approach, we can strengthen the planet's already fragile environment and increase the amount of fish available for food and to protect the existence of the fish.

Rene McIntyre
145 Taylor Street, Apt. 808
San Francisco, CA 94102-2877

Mona Milford
877 Haight Street
San Francisco, CA 94117

Our oceans and their marine populations are under dire threats. A healthy ocean benefits the whole planet. Good stewardship is vital for a healthy planet.

Jackie Pomies
1271 - 38th Avenue
San Francisco, CA 94122

Carolyn Shuman
37 Claremont Blvd.
San Francisco, CA 94127

Jewels Stratton
2233 Powell Street
San Francisco, CA 94133

Luisa Delgado
839 Garfield street
San Francisco, CA 94132

Reverend Stephanie Bisceglia
630 Ardis Ave.
San Jose, CA 95117

Lisa Breslauer
981 Desert Isle Drive
San Jose, CA 95117

They are part of the food chain and you
can't have a chain with links missing.
Shea Craver
1280 Fulbar Ct
San Jose, CA 95132

Audrey Okubo
1382 Oak Knoll Drive
San Jose, CA 95129

Aimee Kvasir
391 Pleasant Way
San Leandro, CA 94577

Theresa Miller
1479 Paseo del Mar
San Pedro, CA 90731

Gordon Gerbitz
535 E Yanonali St
Santa Barbara, CA 93103

Camille Gilbert
1923 San Andres St Apt F
Santa Barbara, CA 93101

We are all connected and must revere each
creature on earth.
Virginia Mariposa
4708 Chandler

Santa Barbara, CA 93110

Lauren Murdock
3940 Via Lucero Apt #16
Santa Barbara, CA 93110

Jen Willis
4133 Vista Clara Rd
Santa Barbara, CA 93110

You cannot let the ocean diversity chain
disappear
John Gregg
1180 Lisa
Santa Cruz, CA 95062

Matt and Stacy McMillan
443 Baker Street
Santa Cruz, CA 95062

Pela Tomasello
621 Windham St
Santa Cruz, CA 95062

Russell Weisz
319 Laguna St.
Santa Cruz, CA 95060

IF THE CREATURES WE EAT DON'T EAT,
NOBODY DOES!
Mary Rojas
2603 3rd Street
Santa Monica, CA 90405

The entire ecosystem depends on these
species. They must be protected.
Dan Fogarty
5423 Yerba Buena Rd.
Santa Rosa, CA 95409

These fish need our help. Please do all you
can to save them.
Joe Salazar
610 Cherrywood Dr.
Santa Rosa, CA 95407

Rob Roberto
10746 North Magnolia Ave 8C
Santee, CA 92071

Though I have been a Californian for 50+ years, I grew up in Holyoke, MA on the Connecticut River and loved watching the shad spawning runs. Please help bring back the shad!

Karen Miller
315 Spinnaker Way
Seal Beach, CA 90740

Paula Zerzan
16912 Falcon Lane
Sonoma, CA 95476

These critical fish need our protection and need to have a healthy environment in which to live and thrive.

Lisa Togni
1530 Kearney St.
St. Helena, CA 94574

Christine V Fink
10 W. Canterbury Dr.
Stockton, CA 95207

Maritza Cabezas
3809 Rock Hampton Dr.
Tarzana, CA 91356

Protect river herring and shad because they deserve it - nothing more and nothing less.

Joan Marks
23481 Mashie Court
Tehacahapi, CA 93561

Jane August
P. O. Box 666
topanga, CA 90290

I think it is fair to say that one does not need to be a genius to realize that unless we are better stewards of our resources, we will lose them forever. Then where will the livelihoods be, the markets, and the future, as we destroy yet another layer of the natural resources that have sustained us for so many centuries.

Vincent Young
1170 Winged Foot Drive
Upland, CA 91786

Alicia Jackson
401 Goheen Circle
Vallejo, CA 94591

These fish are needed for other marine mammals to survive.

John Pasqua
29572 Liac Road
Valley Center, CA 92082

Doug Lenier
5720 Costello Ave
Valley Glen, CA 91401-4328

Eden Kennan
14765 Leadwell St.
Van Nuys, CA 91405

Donna Lewis
12921 Oxnard St
Van Nuys, CA 91401

Lauren Ford
668 Westminster Avenu
Venice, CA 90291

Anthony Montapert
1375 Ficus Way
Ventura, CA 93004

We need to manage all aspects of the ecosystem. If we do it in a piecemeal fashion, we run the risk of destroying the food chain - not only for u,s but also for other fish.

Susan Cadman
1206 Barbara Drive
Vista, CA 92084

We need to have a healthy food chain to sustain each type of environment. These fish are part of the base level food chain. If we want the larger sport fish we need the smaller ones in healthy numbers. Please protect these fish.

Linda Judd
156 Sylvan Rd.
Walnut creek, CA 94596

1,147 Signers with Comments for Saving River Herring and Shad

Julie Slater-Giglioli
7553 Norton Ave/Apt No 2
West Hollywood, CA 90046-5500

Stacey McRae
32105 Buena Ventura Rd
Winchester, CA 92596

Carol Altavilla
46 Embassy Dr
Woodland, CA 95776

Tim Martin
485 Mountain Home Rd
Woodside, CA 94062

Lorren James
6979 Poppy Ct
Arvada, CO 80007

Mary Ferraro
718 Fulton
Aurora, CO 80010

Tatyana Stevens
23264 two rivers
Basalt, CO 81621

William Barrett
825 Gilpin Dr
Boulder, CO 80303-2522

Ashlee Davis
1742 Champa Street, 2A
Denver, CO 80202

Barbara Hanson
11452 W Hampden Pl
Denver, CO 80227

Lee L'Enfant
180 Magnolia St.
Denver, CO 80220

No over-fishing!
Edward Laurson
5901 W Lehigh Av #13
Denver, CO 80235-2979

W. Little
Cherry Creek Dr. South
Denver, CO 80231

Kathryn Rose
2749 Lafayette St.
Denver, CO 80205

Katya Kennedy
31259 Manitoba Dr
Evergreen, CO 80439

Julija Merljak
18 Roibekkie St.
Fairplay, CO 80440

Georgia Locker
713 Duke Square
Fort Collins, CO 80525

Linda Drescher
9 S. Holman Way
Golden, CO 80401-5108

Roberta Richardson
11647 Brook Road
Golden, CO 80403

Chris Smith
2013 Beech Ct
Golden, CO 80401

Sara Avery
1329 Agape Way
Lafayette, CO 80026

James Button
2694 Big Horn Circle
Lafayette, CO 80026

Big fish need little fish in their waters to eat.

Richard Creswell
2557 S Dover St, #88
Lakewood, CO 80227

Dale Ellis
445 Union Blvd, #307
Lakewood, CO 80228

Kristyn MacPhail
9236 W Euclid Ave
Littleton, CO 80123

Cindy Massey
5781 S. Spotswood St
Littleton, CO 80120

Georgia Mattingly
412 Verdant Circle
Longmont, CO 80504-3908

Nancy Kosnar Hartman
2514 Evans Ave
Louisville, CO 80027

Lora Roode
4161 Buffalo Mtn Dr
Loveland, CO 80538

Other species depend on these fish for food. Preserve one or two species and you will preserve many others.

Katherine Kautz
2060 East 112th Place
Northglenn, CO 80233

Arnold Wiseman
234 Skyline Drive
Pagosa Springs, CO 81147

Many ocean creatures depend on herring and shad for their survival. And by saving them, you maintain the health of this delicate ecosystem.

Tina Hickman
9401 Nagel Dr
Thornton, CO 80229-3728

Janet Marineau
45 Glenview DR
Bristol, CT 06010

Although I love eating herring, I don't believe that we should overfish. We have a duty to keep the herring population healthy.

Elke Hoppenbrouwers
152 Allison Way
East Haven, CT 06512-6006

I live near the Connecticut River. Its health is vital to our area, and that includes shad in particular!

Mardi Hanson
183 Rt. 81
Higganum, CT 06441

Joann Koch
134 Olenick Rd
Lebanon, CT 06249

These fish need to be included in proper management. Their rapid decline has been catastrophic.

David Nelson
1 Ft. Griswold La.
Mansfield Center, CT 06250

All fish are important to a sustainable ecosystem, which supports our economy as well. The issue of river herring and shad populations declining cannot be overlooked.

Samantha Wysocki
105 Carriage Crossing Lane
Middletown, CT 06457

Robert Braunstein
145 Lakeside Drive
Ridgefield, CT 06877

Carol Gabor
35 Concord Street
Stratford, CT 06614

Sharron Laplante MD
P.O. Box 886
Tolland, CT 06084

John Puzles
317 Old Post Rd.
Tolland, CT 06084

Suzanne Bores
22 Robinwood Rd
Trumbull, CT 06611

Lorraine Petro
278 Edgewood Ave
Waterbury, CT 06706

Corey Pane
40 Crestwood Rd
West Hartford, CT 06107

Lori Guillard
31 North Road
Windham, CT 06280

Lisa Hey
114 Ruggbrook Rd
Winsted, CT 06098

Mary Carrick
2627 Adams Mill Road NW
Washington, DC 20009

Evelyn Fraser
2724 28th St NE
Washington, DC 20018

Peter Pray
240 Barbara Blvd
Felton, DE 19943

Kathleen Eaton
1035 Schagrin Dr.
Middletown, DE 19709

Nancy Or
Wynwyd Drive
Newark, DE 19711

Jared Cornelia
125 Denn Place
Wilmington, DE 19804

Stefan Kozinski
807 E. Matson Run Pkwy.
Wilmington, DE 19802-1109

Why wouldn't better data be a great idea?
If the herring and shad prove to not be in
danger, then great, keep killing them.
However, if they do prove to be in danger,
wouldn't it be a good idea to rectify this
problem? It's "eezey cheezy" to me!
Tina Bailey
16270 Forest Mist Court
Alva, FL 33920

Jessica Fernandez
1301 Wheeler Rd
Apopka, FL 32703

We must sustain our coastal and ocean
ecosystems.
Jim McElveen
16551 SW 131st Ave
Archer, FL 32618

Ron Silver
1829 Sea Oats Drive
Atlantic Beach, FL 32233

Saving these species of fish matters to me
because all life matters to me, be it wild or
not. This is my home, our home, and the
home we're leaving to our children. They
deserve a clean and beautiful earth like it
should be complete with all its life and
resources. No one has the right to take that
away from them.

Damaris Krois
222 Palmetto St.
Auburndale, FL 33823

As a grandparent, I hope to see a reversal
of the current "It's all about me and mine"
attitude so those who come after will have
a well managed fish population, resulting
in a plentiful fish supply.

Joan Walker
1800 SW 15th Street
Bell, FL 32619

Peggy Kidd
4900 SE 102nd Place, Lot 107
Bellevue, FL 34420

Phyllis Caridi
8436 Cypress Lane, Apt 7D
Boca Raton, FL 33433

Preserve all wild fish & marine wildlife.
Dave Delson
7651 W Country Club Blvd
Boca Raton, FL 33487-1499

Robert Nobrega
3601 North Military Trail

Boca Raton, FL 33431

Janet Robinson
6391 Toulon Dr.
Boca Raton, FL 33433

Dan Rodd
1 Boca Raton
Boca Raton, FL 33486

Roni Strompf
20930 Via Jasmine #5
Boca Raton, FL 33428

Loretta Goldenberg
27277 Gasparilla Dr
Bonita Springs, FL 34135-4310

Terri Haines
27953 Temple Terrace
Bonita Springs, FL 34135

Kathryn Ellison
340 SW 7th Avenue
Boynton Beach, FL 33435

As a youngster, we had Shad running in the Hudson River. I believe they are very rare nowadays. We need to re-stock for future generations too. Thank you.

June Grieco
625 Casa Loma Blvd, #904
Boynton Beach, FL 33435

Gloria Morotti
5305 15th St Ct E
Bradenton, FL 34203

Cheryl Kwater
3803 Cloverhill Ct.
Brandon, FL 33511

D Wyatt
1105 Durant Rd
Brandon, FL 33511

Melliny Lamberson
184 Spring Lake Hwy
Brooksville, FL 34602

It's just common since. We need to protect all of nature, let no living thing become extinct, and keep all our waterways clean. We need to keep this wonderful planet alive.

David Mackey
706 SW Santa Barbara Place
Cape Coral, FL 33991

Bradley Smith
2809 NE 2nd Place
Cape Coral, FL 33909

These are foundation fish whose life cycle should not be disrupted.

Andre Yokers
1727 NW 18th Street
Cape Coral, FL 33993

Scott Finamore
6514 North Clayton Ave
Citrus Springs, FL 34434

Ruth Pernia
2747 Via Capri
Clearwater, FL 33764

Jaime Ramos
2717 Seville Blvd, Apt. 2104
Clearwater, FL 33764

River herring and shad play a vital role in the ocean ecosystems. They feed many of the larger fish, birds, dolphins and whales. They also support the commercial fishing of larger, commercially valuable fish like cod, striped bass and tuna. The health of the ocean ecosystem depends on these forage fish.

Ricky Buttery
6395 Wien Ln.
Cocoa, FL 32927

John Cielukowski
9 Harbor Circle
Cocoa Beach, FL 32931

Susan Pelakh
41 9th Terrace
Cocoa Beach, FL 32931

M S Dillon III
4100 Malaga Ave
Coconut Grove, FL 33133

Pamela Haun
8747 SW 50th Place
Cooper City, FL 33328-4342

Gayle Encomenderos
4341 NW 63 Ave
Coral Springs, FL 33067

Saskia Saint-Sulpice
2799 Forest Hills Blvd
Coral Springs, FL 33065

Ella McRae
18406 Hancock Bluff Rd
Dade City, FL 33523

We must maintain sufficient numbers of
all species.

James Hartman
4800 S. Pine Island Rd #25
Davie, FL 33328

Kaden Moeller
8331 sw 39th court
Davie, FL 33328

Every living creature deserves to live out
its natural life and it is a shame when
humankind invades its territory. It could
disturb the whole ecosystem over time.

Amy Dellinger
600 Jimmy Ann Drive #1736
Daytona Beach, FL 32114

C.J. Fogarty
1223 David Dr
Daytona Beach, FL 32117

Let nature alone.
John Kleman
150 Westwood Drive
Daytona Beach, FL 32119

Marsha J Holbert
1216 West Lakes Drive
Deerfield Beach, FL 33442

David Leithauser
3624 Royal Fern Circle
DeLand, FL 32724

We must do everything we can to protect
each and every species, including these
river herring and shad. We must take
action to protect our ecosystems. Our
environment counts on us to protect it.
Rochelle Maloy
414 Westwood Avenue
Deland, FL 32720

Georgianna Cerola
3510 Sherwood Blvd
Delray Beach, FL 33445

The oceans are being over-fished and the
environment is under attack. We must all
support efforts at returning our world to a
natural balance.

Marilyn Egan
16413 Berry Way
Delray Beach, FL 33484

Marsha Love
2000 S. Ocean Blvd. #402
Delray Beach, FL 33483

These fish are a part of our ocean
ecosystem, and by reducing or eliminating
one of them, it has a domino effect on the
rest of the system. Use common sense to
maintain marine life.

Nicholas Pappas
7171 Arcadia Bay Court
Delray Beach, FL 33446

These fish provide food to many oceans
living creatures.

Lina Poskiene
5738 Aspen Ridge Court
Delray Beach, FL 33484

Sandra Leaper
19691 SW 88th Loop
Dunnellon, FL 34432

Richard Coveny
Box 283

Elfers, FL 34680-0283

Ecosystems are the lifelines of our waterways. We must save and protect them so we can enjoy them forever.

Ricky Aaron
589 South McCall Road
Englewood, FL 34223

Marjorie Angelo
1223 N Oceanshore Blvd
Flagler Beach, FL 32136

These fish are vital links in the food chain. They must not be decimated or their absence can have a debilitating effect on all of the fish that depend upon them, as well as the fish that they depend upon. It's very important not to remove links from the food chain. If we don't protect them, we will end up with nothing.

O. Lamoree
5230 S. W. 89th Terrace
Fort Lauderdale, FL 33328

Mike Mansolino
2507 me 17th terrace
Fort lauderdale, FL 33305

Sheila Mandell
401 E. Las Olas blvd
Fort Lauderdale, FL 33301

On average, 90% of all marine fisheries have already been depleted. If we do not make a serious effort to establish a long term management program, we stand to lose the little we have left. If these fisheries collapse, the economic losses (like the cod collapse in Canada) might hit the US hard. We will not only lose a natural resource, but also pay a heavy financial toll for it as well.

Ori Mayer
901 SE 17th Street
Fort Lauderdale, FL 33316

Ann Alessi
21 Blair St
Fort Myers, FL 33903

These forage fish are instrumental to the aquatic food chain

Jim May
1415 Dean St, Apt 306
Fort Myers, FL 33901

Jennifer Scott
15930 Bayside Pointe West 703
Fort Myers, FL 33908

Due to overfishing and pollution, the local fishermen that I became friends with a dozen years ago are no longer fishermen. There are no fish to catch. The fishermen who are still around are struggling to make their way in other employment. Obviously, if there are no fish to catch locally, there are no fish to market locally to wholesalers and restaurants. Other local businesses have therefore suffered, too. There is no reason whatsoever to allow the replication of this Indian River estuary/Atlantic Ocean disaster. Altruism remains a job requirement for every public servant. Act in good faith or find the nearest exit.

Susan Chandler
3008 N 25th St
Fort Pierce, FL 34946

As I hope you know and understand, all life is interdependent. We need to cease being so greedy that we overfish, as we overharvest timber and use seeds that need specific fertilizers that pollute our river systems. It makes no sense to continue these self-defeating practices when we know better.

Jose Perez
1015 Martinique Ave
Fort Pierce, FL 34982-4329

Anthony Waters
4750 Indrio Road
Fort Pierce, FL 34951

Please take this seriously. It is very important!

Doug Maesk
1820 NE 54 St.

Ft. Lauderdale, FL 33308

Linda Heimbach
3000 Oasis Grand Blvd, Unit 907
Ft. Myers, FL 33916

Janice Mercier
2655 N. Airport Rd, #60664
Ft. Myers, FL 33906

I want to be able to have my shad roe in
the spring be sustainable.

Bruce Blackwell
5000 SW 25th Blvd, Apt 2124
Gainesville, FL 32608

Bobbie Holland
7736 Millhopper Rd.
Gainesville, FL 32653

Arkady Vyatchanin
2337 SW Archer Rd.
Gainesville, FL 32608

Evgenia Vyatchanin
2337 SW Archer Rd.
Gainesville, FL 32608

Debra Tate
10406 Vern St.
Gibsonton, FL 33534

Having Shad and Herring in our waters is a
privilege and it should be preserved for
future generations. It is proven worldwide
that over-fishing can and will make species
disappear. Are we smart enough to
conserve these precious resources?

Chris Pozgar
3680 Leghorn Rd.
Grant Valkaria, FL 32950

Timothy Martin
1946 Pentagon St
Gulf Breeze, FL 32563

Tim Voeltz
2045 Sanctuary Court
Gulf Breeze, FL 32563

Ellen Walsh
404 Bear Drive
Gulf Breeze, FL 32561

Tara Hottenstein
1314 53rd St S
Gulfport, FL 33707

Diana Kampert
474 Conrad Hills Road
Havana, FL 32333

These examples of wildlife must be
preserved in order to keep our ecological
biosphere balanced.

Vincent Newman
6401 Garfield Street
Hollywood, FL 33024

Stacey Schrager
3300 Old Oak Lane
Hollywood, FL 33021

Karen Fleming
125 52nd Street
Holmes Beach, FL 34217

I do not know much more I could add. It is
about every Being on the planet being
important to the survival of every other
Being and beauty of this planet. Even our
species (with all its advancements used to
try to own everything and separate from
all other Beings for its own ELITE
Members' benefits) will not be the same
with each Being we extinct.

'Great White' (Shark: Earth & beings
Rights Person)
25050 SW 189th Ave.
Homestead, FL 33031

Judi Oswald
1101 Sioux Drive
Indian Harbour Beach, FL 32937

Elisabeth Carroll
19201 Vista Lane
Indian Shores, FL 33785

Daniel R. Balogh
3804 Walsh Street
Jacksonville, FL 32205

Overfishing and the methods used are
unsustainable. Do what is necessary to
protect these species.

Janice Barnes
P.O. Box 6484
Jacksonville, FL 32236

Joshua Brown
2651 University Blvd N, Apt# G206
Jacksonville, FL 32211

Jaqueline Ekert
5620 Robert Scott Dr. N.
Jacksonville, FL 32207

Nancy Farris
6455 Argyle Forest Blvd, #1405
Jacksonville, FL 32244

Sheila Grimm
13709 Marsh Harbor Drive North
Jacksonville, FL 32225

We need to maintain the ecosystem
because that's the way it's supposed to be.

Wendy H
Starshine Cave
Jacksonville, FL 32257-5804

Felicia Moran
3355 Claire Lane
Jacksonville, FL 32223

Clyde Summerell
11536 Cricket Court
Jacksonville, FL 32218-3604

Diane and Jerry Tabbott
2280 Shepard Street
Jacksonville, FL 32211

We should protect all of nature!
Sherry Azzara
Jupiter, FL 33478

Marcia Bond

400 Ocean Trail Way#908
Jupiter, FL 33477-5527

Ken Gunther
11024 161st Street N
Jupiter, FL 33478

Water is a precious resource. We must
preserve and protect it for all life.

R Albani
155 Ocean Lane Dr
Key Biscayne, FL 33149

Lawrence Montford
1620 Tyndale Lane
Kissimmee, FL 34746-7022

It's really very simple, biodiversity is
essential to life on this planet. Therefore,
we need to act in ways that preserve the
delicate ecological balances of the Earth.

Lonnie Albrecht
895 CR 481
Lake Panasoffkee, FL 33538

Gregory Esteve
3655 North Scenic Highway
Lake Wales, FL 33898

Jon Madden
2020 6th Court S
Lake Worth, FL 33461

Jon Corlett
7519 Floral Circle East
Lakeland, FL 33810

It is all part of the cycle of life. It's not
reasonable or wise to only be concerned
with what humans want or is profitable.
We have learned so little.

Carlos Quiroga-Lassepas
2044 Bent Tree Loop N
Lakeland, FL 33813

Martha Burton
11015 Bullrush Terrace
Lakewood Ranch, FL 34202

Claude Krampe
24406 Oaks Blvd
Land O Lakes, FL 34639

Barbara Hauck
10912 124 Ave
Largo, FL 33778

Without the food fish, there won't be the
game fish.
Gavi Stevens
460 Deville Dr
Largo, FL 33771

Margot Del Prete
30437 Orange Dr
Leesburg, FL 34748

Kathy Walker
117 McKinley
Lehigh, FL 33936

You must implement plans that will save
river herring and shad so adequate
quantities will be there for fishermen like
me. You must not allow them to disappear.
That is why an ecosystem-based approach
must be implemented.
Elmo Dunn
208 Harrogate Pl
Longwood, FL 32779

Suzy Berkowitz
16822 Valencia Blvd
Loxahatchee, FL 33470

Ian Garman
16281 East Glasgow Drive
Loxahatchee, FL 33470

Chase Ricciardi
Kingbird Dr.
Lutz, FL 33558

We can't let our fish become extinct. Farm
fishing is unhealthy and makes us sick. We
must start to eat more vegetables and not
so much meat. Americans are unhealthy,
with tons of medical problems.
Patti Schultze

17811 Lake Carlton Drive
Lutz, FL 33558

Judith Ferguson
804 Park Lake Circle
Maitland, FL 32751-6341

John Reid
1650 Country Cove Circle
Malabar, FL 32950

Melissa Mendelsohn
6714 Coral Lake Dr.
Margate, FL 33063

Lara Coffey
26 Dale Avenue
Melbourne, FL 32935

Mark Donaldson
1548 Croftwood Drive
Melbourne, FL 32935

Marianne Lazarus
700 Trotter Lane, #205
Melbourne, FL 32940-8213

Sarah Oswald
1917 Mosswood Dr
Melbourne, FL 32935

Travis Weberling
174 Lee rd
Melbourne, FL 32904

Greg Cendrowski
220 Joshua Place
Merritt Island, FL 32953

Ronald Eike
450 Needle Blvd
Merritt Island, FL 32953

Gabriela Barrocas
10881 SW 128th St
Miami, FL 33176

Manuel Bernardo
10340 SW 134th Avenue
Miami, FL 33186

Christine Castan
8390 SW 108 ST
Miami, FL 33156

We need to protect the earth and respect all life on earth. Every living creature on earth has the same right to exist as man. Stop thinking about money & power and do what is right for all life on earth.

John Deddy
11676 SW 91 TERRACE
Miami, FL 33176

Raya Engler
16150 NE 13 Ave
Miami, FL 33162-4606

Esther Garvett
10431 sw 143 ave
Miami, FL 33186

We do NOT inherit the earth from our ancestors, we borrow it from our children.
~ Native American proverb

Alejandro Gutierrez
11231 NW 20th Street
Miami, FL 33172

S Logan
1001 Brickell Bay Dr
Miami, FL 33131

Stephanie Marcos
670 NW 6th St.
Miami, FL 33136

Ramon Martin
800 NE. 199 ST. #202
Miami, FL 33179

Julie Miro
665 NE 25 St
Miami, FL 33137

Steve Mohan
420 Eglinton Ave
Miami, FL 33199

Rodolfo Nunez
2527 SW 153rd St

Miami, FL 33185

Pam Patterson
4035 SW 113 CT
Miami, FL 3315

Manuel Reyes-Otalora
7460 SW 60 street
Miami, FL 33143

Bob Senko
7320 sw 53rd ct
Miami, FL 33143

William Watson
674 NE 75 Street
Miami, FL 33138

Quida Jacobs
1220 Marseille
Miami Beach, FL 331451

Lynn Hafter
18545 NW 23 Court
Miami Gardens, FL 33056

Margie Stern
94 Julie Ln
Monticello, FL 32344

It matters when we keep up the ecosystem, for all other living things dependent on it.

Tina Knight
15840 Jade Ct N
N Fort Myers, FL 33917

Butch Moto
P.O. Box 3665
N Fort Myers, FL 33918

George Wilder
990 8th St. South, Apt. 2A
Naples, FL 34102

We need to save as much as we can and improve the environment.

Robert Wolf
1705 Gordon Drive
Naples, FL 34102

We need these fish for others to survive.
Darlene Wolf
1705 Gordon Dr
Naples, FL 34102

It is unwise to allow the food base for commercial fisheries to be destroyed. Remember - It is also a food source for humans, larger fish and animals depending on it for their own life sustenance.
David Marshall
5834 Otis Drive
New Port Richey, FL

Colleen McGlone
3540 Hartland Dr
New Port Richey, FL 34655

Gail McGlone
3510 Dellefield St
New Port Richey, FL 34655

Patsy Shafchuk
11855 Cassandra St., Apt. 102
New Port Richey, FL 34654

Jan Hardin
1550 Shadow Pines
New Smyrna, FL 32168

Save the herring and shed so there's something for future generations.
Hector Rivas
943 NW 122nd Terr
Newberry, FL 32669

Within an ecosystem all creatures depend on each other for survival. In order for the ecosystem to be healthy, all parts need to be kept healthy. The health of the ocean ecosystem depends on these forage fish.
Bernadine Turner
371 NW 249th St
Newberry, FL 32669

Diana Fisher
329 Evergreen Avenue
Niceville, FL 32578

Patricia DeLuca

123 Inlets Blvd
Nokomis, FL 34275

It's the ecosystem - so basic. Please act sensibly and with a whole-picture view.
Jane Marquet
1304 Mustang St
Nokomis, FL 34275

Patrick Lehmann
909 Evergreen Drive
North Palm Beach, FL 33408

Habitat is so important.
Colonel Meyer
3701 Eagle Pass Street
North Port, FL North Port

We must take care of these animals, which predate us and with whom we have to find a way to live with without destroying them.

Carol Hollander
4770 NE 7th Ave
Oakland Park, FL 33334

Jim Woodward
3801 N Andrews Ave
Oakland Park, FL 33309

Thomas Leffler
P.O. BOX 24354
Oakland Park, FL 33307

Joel Frye
4020 SE 29TH CT
Ocala, FL 34480

Chris Segó
1070 Shimmering Sand Drive
Ocoee, FL 34761-9138

Summer Ankiel
4252 Middlebrook Road
Orlando, FL 32811

We must use the best plan possible to manage sustainable river herring and shad marine life, and to do that we must take a

ecosystem-based approach by using the
above actions and information.

H Hollon
2816 Overlake
Orlando, FL 32806

Nesbitt Whitlow
917 Alabama Woods Lane
Orlando, FL 32824-8892

The food chain starts at the bottom!

John McCarthy
2812 Buckboard Way
Orlando, FL 32822

Virenda Nyberg
1 John Anderson Drive #516
Ormond Beach, FL 32176-5789

K. Holliday
489 Lakepark Trail
Oviedo, FL 32765

Barton Chambers
4277 Essex Terrace Circle
Pace, FL 32571

Erida Coco
542 Sauders Rd Se
Palm Bay, FL 32909

Catch limits are vital. They are justified

Andrew Kaplan
1640 Sunnybrook Ln NE, A208
Palm Bay, FL 32905

Corinne Sampson
2221 Hialeah St
Palm Bay, FL 32907

All creatures great and small deserve our
protection.

Al McClain
229 Isle Verde Way
Palm Beach Gardens, FL 33418

Shirlane Ferrante
40 Rivera Lane
Palm Coast, FL 32164

Debbie LeBlanc
2 Rolling Sands Dr.
Palm Coast, FL 32164

All wildlife and fish are important. Once a
species is almost depleted, it takes years
for it to come back. The generations of
people to follow expect and deserve no
less from us.

Patricia Dehler
1204 28th Ave W, Apt C
Palmetto, FL 34221

Ecosystem-based management of fish like
shad and river herring, because *all*
animals, whether mammals, fish or even
insects affect people each other and plant
life. If one type of animal is killed off or
harmed, those other animals, plants and
insects that they eat grow out of control.
Secondly, both of these types of fish are
useful to human beings for food. Wasteful
dumping and/or over-killing is not only
wrong, but also very irresponsible.

Karen Atkinson
1126 Grace Ave.
Panama City, FL 32401

It is obvious that these fish are a hugely
necessary component of our overall
ecology and food chain.

Walter Graue
830 W. 11th St
Panama City, FL 32401

Judy Moran
6109 N. Star Dr.
Panama City, FL 32404

Marilyn Stern
9511 N Hollybrook Lk Dr, #205
Pembroke Pines, FL 33025-1573

We need better control measures for the
overfishing of species in the wild.
Companies have a habit of dumping dead
fish into the areas where they've been
caught so that the fisherman don't go over
the limit. This kind of behavior needs to be
stopped.

Michael Hood
6115 N Davis Highway, Unit 59B
Pensacola, FL 32504

Joanna Rogers
522 Amber Street
Pensacola, FL 32503

We are killing this planet because we are so numerous and ravenous. We are living in an unsustainable manner. This planet is very bountiful and provides us with plenty of food, clean water, and clean air. But since we are quickly depleting our food, polluting our water and air, and thus destroying the living ecosystems that provide us with these things for free, we are literally "killing the goose that laid the golden egg."

Benjamin Joannou Jr
6401 SW 134 Drive
Pinecrest, FL 33156-7046

David Gregersen
8956 59th Street N
Pinellas Park, FL 33782

We need to protect our food and water sources. If we don't have clean food and water, we can't survive.

Harriet Stein
4355 78th Ave.
Pinellas Park, FL 33781

I hope you take action to conserve the marine life mentioned above. You are in a position to help the environment and all I can do is ask. Many people like me are counting on you, all the animals, fish, and birds too. Thank you.

Judy Warren
6294 103rd Ave
Pinellas Park, FL 33782

Any time we lose a species from their natural habitat, it is a loss to all of us. We are next.

Sandra Brady
82227 F Street
Pinellas Park, FL 33781

Candace Lewandowski
2302 Maki Rd, Apt 36
Plant City, FL 33563

Michael Goldfarb
13489 N.W. 5th Ct.
Plantation, FL 33325

Lisa Parker
9891 Fairway Cove
Plantation, FL 33324

Karin Shea
8126 Winthrop Dr
Port Richey, FL 34668

Janell Curtis
1952 SW Day St
Port Saint Lucie, FL 34953

Daen Ruscoe
1717 Primrose Ct
Port St Lucie, FL 34952

These fish are bedrock species to our fisheries, so why deplete and destroy them? Our founding fisheries emanated from these stocks. Wake up and do the right thing!!

Cynthia Disanto
2134 SE N Blackwell
Port St. Lucie, FL 34952

I formerly lived in Sitka, AK, and am very aware of the devastating effect that improperly managed fishery regulations can have. The only truly acceptable means of managing a fishery absolutely MUST include an ecological approach, considering inflows, # of fishermen/boats, limits on commercial AND recreational harvests, seasonal conditions, streamside environment, and other species relying on the fish for their own food supply. The resource is ours to use, not abuse, and humans are far from the only users. The sooner we recognize this and protect future stocks and the welfare of other creatures, the better off we will be.

Donna Selquist

10530 SW Waterway Lane
Port St. Lucie, FL 34987

We as a people, are killing our fellow inhabitants. We have no right. We need to respect all of earth's creatures and stop the belief that they don't matter. Every living thing on earth depends on another for survival. Stop killing our oceans!

Andres Tuckman
11224 SW Apple Blossom Tr.
Port St. Lucie, FL 34988

Any thing that keeps the natural balance of nature should always be paramount in our interests.

Sandra Hazzard
7909 Thames Lane
Riverview, FL 33578-4960

Vaida Maleckaite
3860 La Flor Drive
Rockledge, FL 32955

Kathy Wang
2200 Pinellas Point Dr S
Saint Petersburg, FL 33712

Linda Jennings
1398 Middle Gulf Dr
Sanibel, FL 33957

Without a balanced marine ecosystem, we are doomed. "The last word in ignorance is the man who says of an animal or plant, "What good is it?" If the mechanism as a whole is good, then every part is good, whether we understand it or not. If the biota, in the course of aeons, has built something . . . who but a fool would discard seemingly useless parts? To keep every cog and wheel is the first precaution of intelligent tinkering." – Aldo Leopold

Janis Sawyer
486 Forest Street
Santa Rosa Beach, FL 32459

Dave BraveRaven
4509 Mink Way
Sarasota, FL 34235

Scot Kurth
5020 Clark Rd
Sarasota, FL 34233

Krista Lohr
3728 Colby St
Sarasota, FL 34232

Kate Medico
7240 Clark Rd.
Sarasota, FL 34241

Jean Mixon
3708 72nd Avenue Circle East
Sarasota, FL 34243-3424

Suzanne Murphy-Larronde
7101 La Ronda Ct
Sarasota, FL 34238

Dr. Hendrick Serrie
636 Mecca Drive
Sarasota, FL 34234

Eric Steinberg
3386 Sandleheath
Sarasota, FL 34235

Jane Schnee
1022 Foster Rd. - Apt. A
Sebastian, FL 32958

Karen Griffin
6642 County Road 579
Seffner, FL 33584

Andrea Barlow
10402 Blossom Lake Drive
Seminole, FL 33772

Megan Murphy
9441 110th St
Seminole, FL 33772

Richard Gerome
8341 Gallup Rd
Spring Hill, FL 34608

Karen Hart
2449 Running Oak Court

Spring Hill, FL 34608

Please support the conservation of river herring and shad. Thank You,
Sheri Cutright
87 Balearics Drive
St Augustine, FL 32086

As our oceans and rivers become fouled with contaminants and seafood is overfished, we face a calamity of double proportion: filthy waters and unsustainability of food from the waters. Think these issues through carefully and choose wisely before you condemn the future to an irreversible fate. Conservation and stewardship of marine life is necessary and serious.
Sandra Rodrigues
254 Venetian Blvd
St Augustine, FL 32095

Whitney Watters
24 Riberia Street
St Augustine, FL 32084

Bonnie Fletcher
2735 24th Avenue N
St Petersburg, FL 33713

Doug Landau
150 73 St S
St Petersburg, FL 33707

Katherine Mayers
3593 56th Ave, Apt B
St Petersburg, FL 33714

Christiaan Petersen
PO box 66926
St Petersburg, FL 33736

STOP THE GLUTTONY!!
Steven Combes
1224 Richie Dr.
St. Augustine, FL 32086-5387

Richard Dockter
188 Crete Court
St. Augustine, FL 32084

Extremes are always bad and that includes over-fishing.
Vaughn N. Anderson
6205 Shoreline Drive, Apt 1101
St. Petersburg, FL 33708-4502

Karin Braunsberger
842 17th Ave N.
St. Petersburg, FL 33704

Bob Fay
4000 24th St. N, Lot 1108
St. Petersburg, FL 33714

To sustain any wildlife, protecting the habitat is crucial.
Mark Holmgren
427 A 40th Ave. S.
St. Petersburg, FL 33705

Don Margeson
439 Tennessee Ave. NE
St. Petersburg, FL 33702

Beverly Nelmes
6100 12th St S, Apt. 315
St. Petersburg, FL 33705

Donald Shaw
1906 Hawaii Ave
St. Petersburg, FL 33703

Diana Ward
2401 - 41 Street North
St. Petersburg, FL 33713-3344

D Wenzel
1025 42 Ave. N.
St. Petersburg, FL 33703

River herring and shad play a vital role in the coastal and ocean ecosystems. They feed many of the larger fish, birds, dolphins and whales. They also support the commercial fishing. The health of the ocean ecosystem depends on these forage fish.

P Nunez
Summerfield, FL 34491

Tom Bryson
10951 NW 29th Ct.
Sunrise, FL 33322

Julie Horan
1381 NW 126th Way
Sunrise, FL 33323

Beth Kessinger
8627 NW 21 Street
Sunrise, FL 33322

Because it's the right thing to do for The
Earth and the right thing to do for
Humanity.

Jordan Mosman
10331 NW 24th Street
Sunrise, FL 33322

Michael Quimby
625 91st St
Surfside, FL 33154

Hilary Capstick
6720 Johnstown loop
Tallahassee, FL 32309

We need any and all actions that will save
the river herring and the shad.

Margaret Fogg
1312 Carson Drive
Tallahassee, FL 32305

BrendaLee Lennick
2131 N Meridian Rd, Apt 121
Tallahassee, FL 32303

We must maintain marine life for the
overall health of the ecosystem.

Steve Levine
3400 Old Bainbridge Rd #205
Tallahassee, FL 32303

Nicole Mazzara
3705 Carrington pl
tallahassee, FL 32303

This is an issue vital to the support of our
waters and their ecosystem.

Camille Brockman

1020 East Lafayette, Suite 205
Tallahassee, FL 32301

Philip Capobianco
7786 Trent Dr
Tamarac, FL 33321

Please do your job properly. The food
chain is important and we need to sustain
all living things for our world and
environment. PLEASE think about it.

Mark and Felice Shapiro
9927 NW 65 Court
Tamarac, FL 33321-3341

We need to stop over-fishing our rivers,
lakes and oceans. We need strong marine
ecosystems and need to stop over-
harvesting marine life.

Charles Campbell
2505 W. Fountain BLVD
Tampa, FL 33609

We need to respect our planet. Please save
these vital creatures.

Kelley Charnas
208 Rock Garden Place
Tampa, FL 33609

The depleting of this life source is
becoming a disgrace to the livelihood of
the fish industries.

Yolanda Figueroa
8467 Sandstone Lake Dr, Unit 201
Tampa, FL 33615

Lisa Mazzola
1723 Followthru Drive
Tampa, FL 33612-5013

Norma M. Molina
3016 W. Aileen St.
Tampa, FL 33607

Mary Satterwhite
4509 Dolphin Dr
Tampa, FL 33617

Pat Schalge
5102 Bonnedale

Tampa, FL 33624

Sheree Slone
552 Riviera Dr
Tampa, FL 33606

Bob Vaughan
3016 W Harbor View Ave
Tampa, FL 33611

Kathy Wilson
1012 E. Henry Ave.
Tampa, FL 33604

Pauline Clarke
39650 US 19 N. #353
Tarpon Springs, FL 34689-3984

Ashley Frith
7707 Gulf Court
Temple Terrace, FL 33637

George Craciun
12811 Flint Creek Road
Thonotosassa, FL 33592-2660

Connie Rios
P.O. Box 50224
Tice, FL 33994

Larry hirsch
3050 Crown Heron Pt.
Venice, FL 34293

Joel Malkerson
808 Harbor Dr S
Venice, FL 34285

Barry Adelman
7825 101st Ave
Vero Beach, FL 32967

Joan Hutton
1855 Bridgepointe Circle, Unit 23
Vero Beach, FL 32967

Every creature serves a purpose in our world. Take one away, and the dominoes will start to fall.
Ellie Meehan

6885 20th St, Apt. 280
Vero Beach, FL 32966

David Holmes
305 Golf Road
West Palm Beach, FL 33407

Andre Meaux
833 Parkway Ct
West Palm Beach, FL 33413

Evette Pike
11193 59 St. N.
West Palm Beach, FL 33411

This needs to be done for sustainable management and to have these fish to protect the food chain and the animals that depend on them too.

Bill T Smith
1614 Surrey Trail
Wimauma, FL 33598

Larry Lewis
1555 Victoria Way
Winter Garden, FL 34787-4824

The ecosystem-based approach is the best way to manage wildlife for sustainable marine life.

Renee Thomas
365 Beckett Court
Winter Park, FL 32792

Stop ruining this planet.
Sheryl Opsahl
3808 Black Spruce Ln
Winter Springs, FL 32708

Alex Moschner
Red Oak
New Port Richey, FL 34654

We strongly support taking these actions for both conservation of river herring and shad, and for sustainable seafood of these fish and of their predators. We must strive to leave Atlantic marine life better off than how we found it, if not for our enjoyment than for future generations.

Penny Gregorio
6143 Hardup Rd
Albany, GA 31721

Christina Williams
2350 Belmont Rd
Arnoldsville, GA 30619

We must use sustainable commercial and recreational fishing practices to save river herring and shad along with all other endangered species of fish. Science tells the story of healthy oceans and rivers. Implement effective and viable plans to protect these fish immediately!

Kyle Emblar
662 Mercer Street SE
Atlanta, GA 30312

Thomas Lewis
1128 Summit North Dr.
Atlanta, GA 30324

William McGoldrick
2754 Rangewood Drive
Atlanta, GA 30345

Steven Nelson
1484 Willow Lake Dr
Atlanta, GA 30329-2821

Richard Temple
738 Monroe Dr., NE, #7
Atlanta, GA 30308

Gale Variot
1736 Homestead Ave.
Atlanta, GA 30306

Kathy Britt
1160 Glen Wilkie Trail
Ball Ground, GA 30107-5291

Marci De Sart
183 Paradise Marsh Circle
Brunswick, GA 31525

A healthy ecosystem can sustain wildlife as well as responsible fishing practices. Now is the time to act!

James Standeford
3686 Johnson Lake Road
Cedartown, GA 30125

Andy Lynn
3671 Colonial Trail
Douglasville, GA 30135

Cara Chapman
1408 Velvet Creek Trace
Marietta, GA 30008

Laurie Mattingly
91 Margarita Trail
Newnan, GA 30263

Christadora Clymer
904 Cheryl St
Savannah, GA 31410

We need responsible management of our resources so that we will all benefit.

Alex Oshiro
1920 Kahakai Dr.
Honolulu, HI 96814-4820

I'm far from you, in Hawaii, but am sickened and fearful of a 90% decline in any fish population. Ecosystems do not need to be ruined! We must not accept that this is the future of the world.

Waimea Williams
45-539 Pahia Road
Kaneohe, HI 96744

Dan Meier
924 West 12th Street
Cedar Falls, IA 50613

Kris Leesekamp
1651 29th Street NE
Cedar Rapids, IA 52402

Jody Gibson
317 E. Wall Ave.
Des Moines, IA 50315

Functioning ecosystems are vital for our survival. All species need to be saved to

keep our ecosystems healthy and functioning.

Jo Anna Heberger
701 56th Street
Des Moines, IA 50312

Chicago, IL 60634

T C
16300 H. ST
Chicago, IL 60403

Brandi McCauley
6215 Woodland Road
Des Moines, IA 50312

PK DOYLE
4309 N. Whipple St.
Chicago, IL 60618

David Eash
2350 Sugar Bottom Road
Solon, IA 52333

Heather Ervin
1322 W Elmdale
Chicago, IL 60660

Dian Berger
5639 E. Gateway Dr.
Boise, ID 83716-9041

Sandra Franz
1130 W Cornelia
Chicago, IL 60657

Russ Berger
5639 E. Gateway Dr.
Boise, ID 83716-9041

Julie Greco
3713 N. Tripp Ave.
Chicago, IL 60641

Robin Lorentzen
14250 Chicken Dinner Road
Caldwell, ID 83607-9326

Amy Lippert
859 N Marshfield Ave, Side 1R
Chicago, IL 60622

Elizabeth Bryant
632 W Elias Street
Meridian, ID 83642

With dwindling natural resources and the criminal behavior of Corporations, whether oil, gas, or fishery corporations; the idea of "get rich quick" is the mantra for the greedy, ignoring the day when the sea, rivers, oceans, will be dead, along with the fish. What will corporations (not people) and consumers do then? It is critical that the billions of people on planet recognize, especially corporations, that when the natural resources are gone, we won't be around much longer either. We must all be more thoughtful and caring.

Andrea F
39171 Bernice Ter
Beach Park, IL 60099

NJ Madison
8017 Harvard
Chicago, IL 60620

Cara Ammon
4556 N. Beacon #3
Chicago, IL 60640

If appropriate action is not taken, the health of sustainable seafood stocks is in jeopardy.

David Atwood
10641 S Hale Ave
Chicago, IL 60643

Debbie Neimark
6018 N. Oakley Ave.
Chicago, IL 60659

These fish are vital to the environment. Instead of turning your back or ignoring these small fish, help them to survive.

Terri Barreras
6124 W. Melrose St.

Alicia Paravola
3643 N. Mozart
Chicago, IL 60618

Christopher Riff
2930 N. Commonwealth Ave, Apt. 404
Chicago, IL 60657

Marshall Sorkin
2920 W. Sherwin Ave.
Chicago, IL 60645

Wyman Whipple
1427 Knox HWY 12
Dahinda, IL 61428

I support these ammendments because
these fish are necessary to preserving
other fish and humans also

Diane Steitz
76 N. Parkside Ave.
Glen Ellyn, IL 60137

Jan Zanoni
1216 Elm Street
Glenview, IL 60025

Dorien Zaricor
1194 Windemere Circle
Gurnee, IL 60031

Ann Siegel
400 Park Avenue
Highland Park, IL 60035-2629

Lester Kloss
18505 Carpenter Street
Homewood, IL 60430

Alexandra Sweitzer
500 Ledochowski Street
Lemont, IL 60439

To further deplete the river herring and
shad puts the entire ecosystem at risk. We
must not allow this resource to be lost to
our children and grandchildren.

Jane Drews
506 N Crestwood Ave
McHenry, IL 60051

WE MUST SUPPORT THE FOOD CHAIN.
Terrence Ward
14530 Kildare

Midlothian, IL 60445

Lenore Reeves
19934 Hickory Stick Ln
Mokena, IL 60448

Sandra Couch
2903 Bartlett Ct, Unit 201
Naperville, IL 60564

Oksana Becker
2300 S 2nd ave
North Riverside, IL 60546

Diane Fascione
528 Woodbine Ave
Oak Park, IL 60302-1606

Daniel Puetz
990 N. Cove Drive
Palatine, IL 60067-1900

Joe Swierkosz
633 N Maple Ave
Palatine, IL 60067

If this does not stop soon, there will no
longer be any fish left to catch.

Ryan Nestler
742 John Street
Pecatonica, IL 61063

Olga Abella
12129 N 675th St
Robinson, IL 62454

Tina Brenza
419 N. Mulford Road
Rockford, IL 61107

Sustainable populations of shad and
herring are vital for the preservation of
Northeastern fresh and saltwater
ecosystems. Supporting this issue will
help prevent another environmental
debacle motivated by greed. This is worth
taking a stand on. Thank you,

Chris Berti
411 W. Nevada St.
Urbana, IL Urbana

Margaret Waltershausen
404 E. Eliot Drive
Urbana, IL 61801

The importance of Sustainable practices to protect Atlantic marine life cannot be overstated! This is an economic, as well as ecological, issue.

Renee Caputo
28W521 Purnell
West Chicago, IL 60185

Paul Eisenberg
1005 S. Hawthorne Drive
Bloomington, IN 47401

James Jachimiak
835 S. Old US 31 Lot 46
Franklin, IN 46131

Thomas Willette
1035 Castlebury Dr, Apt. C
Greencastle, IN 46135

Dina Frigo
2028 38th Street
Highland, IN 46322

Matthew Burton
5839 Annapolis Dr
Indianapolis, IN 46254

Carol Hatfield
2306 Lawrence Ave
Indianapolis, IN 46227

Diane Winkler
710 Clay Street
Jasper, IN 47546

David Cross
501 Pearl Street
Michigan City, IN 46360

Ricki Newman
617 Prince Dr.
Newburgh, IN 47630

Nancy Stewart
9611 Lasuer Rd.

Poland, IN 47868

This is an over-all response to resort to sensible management. Please listen and act! Thanks for considering my opinion.

Tom Rose
413 E Floral Ave
Portland, IN 47371

Because we want Healthy and Fresh Fish.
Edward Mckinney
22169 K Road
Holton, KS 66436

Paul Jefferson
240 Alabama, Apt A
Lawrence, KS 66044-1327

Kathe Garbrick
2944 Keats Ave
Manhattan, KS 66503

James H. Fitch
PO Box 26566
Overland Park, KS 66225-6566

From a global and local viewpoint, ALL of our water. All the creatures that live in or depend on the water matter. They are an important part of the eco-balance and food supply for people and other creatures. We must act to ensure that our important aquatic resources will be restored and sustainably managed into the future.

Celia Daniels
1521 SW College Ave.
Topeka, KS 66604

Laura Manges
99 Neely St.
Berea, KY 40403-1797

Lara Beard
1936 Sportsman Lake Road
Elizabethtown, KY 42701

Tony Menechella
1431 Stage Coach Rd
Frankfort, KY 40601

Please protect Mother Ocean. Thank you.

Susan Crook
P. O. Box 6264
Louisville, KY 40206

Everything in the ecosystem matters.

Everything needs to be in balance.

Michael Wohlleb
2102 Glenview Ave
Louisville, KY

Mary Lou Zeh

8007 Sycamore Creek Drf
Louisville, KY 40222

Max Magbee

715 Drehr Ave
Baton Rouge, LA 70806

Randy Anderson-Orr

1800 Hampton Drive
Harvey, LA 70058

Over-fishing is not good at all and it hurts
the marine life.

Tina Lamia
729 Lesseps Street
New Orleans, LA 70117

Water is vital for all life.

Laura Kiefer
39375 Beech St.
Pearl River, LA 70452

No river herring and no shad means no
food supply for larger fish and a disruption
of the ecosystem. It takes far longer to
bring back a fishery to sustainability from
the brink than it does to protect it in the
first place.

Carole Plourde
70 Cedar St
Amesbury, MA 01913

Karen Martakos

43 Massachusetts Avenue Apartment 2
Arlington, MA 02474

Rick Myers

355 Main Street

Ashland, MA 01721

Robert Foley Jr
33 Water Street FL 2
Attelboro, MA

Patricia Medeiros
33 Water Street
Attleboro, MA 02703

Wendy Lanchester
25 Glendower St.
Avon, MA 02322

Linda Gurski
445 County Road
Becket, MA 01223

Alexandra Houck
345 Cross St
Belmont, MA 02478

Matt Kennedy
18 Upland Rd
Beverly, MA 01915

Deborah Spencer
12 Newport Drive
Billerica, MA 01821

These are prey fish for others that are
higher in the foodchain, but are in decline
from pollution, bycatch, and overfishing
already.

Brenda Troup
21 Meadow Road
Bolton, MA 01740

You can make a real difference by not
being penny wise and pound foolish.

Susan Anderson
249 A St 43
Boston, MA 02210

We must take a broad approach to
preserving fish stocks, including river
herring and shad, that looks at preserving
overall ecosystem health. Failure to do so
will lead us down a path of destruction
and ruin for the planet and humans

Joe Anderson
1115 Trinity Drive
Boston, MA 02116

Leslie Becker
54 West Cedar St
Boston, MA 02114

Rachel Hill
80 Boylston Street
Boston, MA 02116

Holiday Houck
192 Commonwealth Ave.
Boston, MA 02116

Sharon Koogler
91 Chestnut St
Boston, MA 02445

Overfishing these two species will have an effect on all marine life.

Phyllis Miller
427 Marlborough St. #4
Boston, MA 02115-1205

Michael Schmidt
47 Mount Vernon Street
Boston, MA 02108

The lives of herring and shad must be saved. Their lives matter very much and their souls are very much a part of God's creative plan. Please save their lives.

Toni Siegrist
12 Commonwealth Avenue
Boston, MA 02116

Carol Berkeley
10 Camelot Dr.
Boxford, MA 01921

Brian Gingras
52 Bradford Commons Lane
Braintree, MA 02184

I respect all wildlife's right to protection.

Annmarie O'Toole
41 Arborway Dr.
Braintree, MA 02184

It's common sense - No little fish then soon no big fish. It's really that simple.

Carole Smudin
635 Walnut St, P.O. Box 123
Bridgewater, MA 02324

These are essential fish for the lives of other animals. Keep the fish and their habitat fresh and healthy.

Linda Clave
444 Western Ave
Brighton, MA 02135

There needs to be a well sustained balance. With the decline of River Herring and Shad, there will be a major disruption in the balance. This imbalance could impact every life that depends upon them - birds, animals, other fish and humans.

Judi Kidd
1868 Commonwealth Avenue #11
Brighton, MA 02135

Susan Spilecki
134 Englewood Ave. #4
Brighton, MA 02135

Mary Delger
138 South Leyden Street
Brockton, MA 02302

Maiyim Baron
338 Tappan Street
Brookline, MA 02445

Meghan Follansbee
1550 Beacon Street
Brookline, MA 02446

Bob Bousquet
PO Box 101
Bryantville, MA 02327

Please restore our rivers to the way they should be - healthy. We owe it to future generations. Thank You,

Pamela Barlow
150 Erie St
Cambridge, MA 02139

Susan Earle
335A Harvard
Cambridge, MA 02139

Jane Ehrlich
88 Sparks St
Cambridge, MA 02138

Betsy Germanotta
175 Harvey St. #2
Cambridge, MA 02140

Janet Randall
64 Granville Rd.
Cambridge, MA 02138

We must look at the species in delicately balanced freshwater, tidal and brackish waters, and the salt marsh areas as our responsibility. We must manage and protect the species and their environment from our own predation. Thank you for taking on this challenge..

Ann Woll
79 Dana St.
Cambridge, MA 02138

SO Allen
19 Charles St.
Charlestown, MA 02129

Janet Brown
220 Wolcott Road
Chestnut Hill, MA 02467

Linda Qureshi
250 Hammond Pond Parkway
Chestnut Hill, MA 02467

Deborah Coviello
27 Colonial Dr
Clinton, MA 01510

Ken Canty
30 Center Road
Dudley, MA 01571

Rachel Hangle
42 Trumbull Rd
E Falmouth, MA 02540

Thomas Wolslegel
321 Prospect Street
East Longmeadow, MA 01029

Science-based stewardship of our oceans is vital to their health and sustainability. We must take the long term scientific view and reject short term economic gains that will devastate our fisheries for generations to come.

Nina Kornstein
59 Flanagan Drive
Framingham, MA 01701

Elle Sullivan
558 Pleasant St
Franklin, MA Franklin

Belinda Scott
26 Marquette St.
Gardner, MA 01440-4006

Sarah Kozenko
Flavell Rd.
Groton, MA 01450

Richard Warren
273 River Street
Halifax, MA 02338

For nearly 50 years I've lived near the Herring River in Harwich, Cape Cod, where I've seen the river fish disappearing dramatically. Friends who fish for a living say they're not seeing the herring and shad at sea. Because they know forage fish are the foundations of the whole ocean food-chain, they're willing to submit to any plan that will save these fish and save their fishery. Why is there no working plan for the north Atlantic similar to that which is effecting the recovery of West coast fisheries?

Paula Myles
163 Main Street
Harwich, MA 02645

Taylor Brown
77 L Street
Haverhill, MA 01835

Save River Herring and Shad so that we
can sustain our marine life.
Nancy Gates
Golden Hill Ave
Haverhill, MA 01830-6501

Jem Pernice
15 Dogwood Circle
Holden, MA 01520

Andi Gibson
77 Norwood Terrace
Holyoke, MA 01040

Doug Shohan
95 Via Maria
Lee, MA 01238

Kathleen Medina
PO Box 1944
Lenox, MA 01240

Dawn M. Bertelli
70 Golden Hill Rd, Box 36
Lenox Dale, MA 01242

Freshwater herring and shad deserve the
same protection as ocean herring and
similar fish. Please pass laws now to
protect these rapidly decreasing fish
species. Thank you for your action!
Duane J. Matthiesen
10 Seaborn Place
Lexington, MA 02420-2005

Samantha Morgan
71 Emerson Gardens
Lexington, MA 02420

Christins Kowalewski
22 Kensington Park
Lynn, MA 01902

Danya Kuperstein
1100 Salem Street, #87
Lynnfield, MA 01940

Maureen McCarthy
32 South St
Marblehead, MA 01945

Virginia Bowers
14 Holton Street
Medford, MA 02155

Pamela Davis
5 Williams Street
Medway, MA 02053

When we upset the ecosystem, we affect
ourselves along with the wildlife that lives
there. An ecosystem-based approach to
fish management ensures that river
herring and shad populations are allowed
to rebuild. This is important not only for
the conservation of these fish, but for the
sustainability of the entire ecosystem
which we share.

Pilar Quintana
46 Lorenzo Circle
Methuen, MA 01844

Leah Santone
384 Pelham Street
Methuen, MA 01844

Jean Phillips-Calapai
17 Sherwood Drive
Milford, MA 01757-1041

Sybil Schlesinger
22 Rockland Street
Natick, MA 01760

Dorothy Anderson
125 River St
No. Weymouth, MA 02191

Michelle Collar
127 High St
North Attleboro, MA 02760

Once they're gone, they're gone, and they
play such a key role in the entire
foodchain, we must protect their
populations over the longterm through
science-based management plans.

Randi Klein
95 Maynard Rd.
Northampton, MA 01060

Saving river herring and shad will help restore depleted ocean marine fish.

John Cevasco
596 Millers Falls Rd, P.O. Box 78
Northfield, MA 01360

Dana Craig
67 Hill Street
Norwood, MA 02062

Renee D'Argento
18 Prospect Street
Pepperell, MA 01463

We really need to think about the impact we have on the ecosystem before jumping into things. A 90% decline since 1985? That is outrageous and unbelievable. We need to start protecting now, before its too late. Please help.

Ashley Curtin
4 Ashley Street
Plymouth, MA 02360

Many rivers on the south shore of Massachusetts have seen their populations of river herring drastically depleted. We need to save this resource.

William Vickstrom
11 Ashberry St
Plymouth, MA 02360

Protect the whole food chain from mankind. If there is no bottom of the food chain there will be no top of the food chain for man to catch.

Eugene Brusin
73 Edison
Quincy, MA 02169

We should all be accountable for the rivers, oceans, brooks that we destroy, abuse, and trash. We have an opportunity to save herring and shad that were here way before us and we need to save them.

Lynn Lang
417 S. Main St
Randolph, MA 02368

When they're GONE, there's NO bringing

them back. You want to create jobs, but don't look to the Whaling Industry as they have NO jobs, as they overfished! Think about what is happening! You don't think that fish are in trouble, keep fishing and then you'll see that you were WRONG!

Matthew Carter
31 Arrowhead Circle
Rowley, MA 01969-1747

William Dearstynne
48 Derby Street
Salem, MA 01970

Jennifer Gaffney
18.5 Webb St.
Salem, MA 01970

Rivers are being cleansed, but it is a futile effort if they also become sterile. A wholesome ecological system must have native species to support. It is our duty to maintain sustainable species in our rivers and streams.

Edward Margerum
17 Plymouth St.
Salem, MA 01970

Janet Mogilnicki
12 Shawme Rd.
Sandwich, MA 02563

Jeanne Anderson
24 Ash Lane
Sherborn, MA 01770

Life survives through the food chain. We need to protect the small species in order for the species up the food chain to survive.

Maureen Barillaro
Somerville, MA 02143

Ken McKay
198 Davis St.
Springfield, MA 01104

Jodi RodR
230 forest park ave
Springfield, MA 01108

Alan Papscon
40 Glendale Rd.
Stockbridge, MA 01229-0084

Paul Henry
300 Park Dr
Stoneham, MA 02180

Linda Waine
80 School St.
Taunton, MA 02780

Gwen Young
PO Box 68
Templeton, MA 01468

Maure Briggs-Carrington
22 X Street
Turners Falls, MA 01376

Without the food at the beginning of the food chain, all the rest of the population is at peril. Please help us save ourselves!
Deborah Jose
83 Woodland Rd.
Waltham, MA 02451

David Smith
26 Rich St # 2
Waltham, MA 02451

Julie kennie
10 Wheatfield Lane
West Dennis, MA 02670

Leslie Prouty
P.O. Box 158, 25 Second Ave
West Hyannisport, MA 02672

River herring and shad are key ecosystem species for the entire Atlantic coast. If these crucial species are not restored to sustainable levels, they will eventually collapse. If that happens, all of our fisheries will quickly follow suit.
Shawn Sargent
26 Rosemary Lane
West Yarmouth, MA 02673

Gail Veiby

16 Nipmuck Drive
Westborough, MA 01581

We need to protect our ecosystem's integrity. All the "parts" are needed for proper functioning!
Cynthia Lawton-Singer
12 Stage Road
Westhampton, MA 01027-9603

Peter Beves
26 Barthrick Road
Westminster, MA 01473

Nancy Schechterle
14 Rice Drive
Wilbraham, MA 01095

Bridget Spann
1210 Hancock Rd.
Williamstown, MA 01267

Mike McKenna
88 Highland Ave.
Winchester, MA 01890

We know many fish are very depleted, therefore we must use our scientific knowledge to fix this situation. We must save them for the health of people from now to the future who depend on fish for food and for the welfare of the fishermen who catch fish for a living.
Carol Walker
29 Jefferson Street
Winthrop, MA 02152

Brad McDonough
18 Newbury St.
Woburn, MA 01801

J Reardon
Arcadia St
Woburn, MA 01801

I'm sure you know that once something's extinct, all our technology can never bring it back again.
Jude Ayer
2 Estabrook Rd

Worcester, MA 01606

Elizabeth Castle
9 Esther St
Worcester, MA 01607

Judy Wisboro
38 Tower St
Worcester, MA 01606-3527

Brian Gagnon
6 Warwick Road
Franklin, MA 02038

Without them, everything is in danger of collapse.

Donald Schwartz
2414 Sugarcone Road
Baltimore, MD 21209

Douglas Sedon
10035 Beallsville Road
Beallsville, MD 20839-3300

W Jansen
4938 Hampden Lane
Bethesda, MD 20814

Joyce Robinson
8010 Covington Ave
Glen Burnie, MD 21061

Cindy Sellers
714 Biddle Road
Glen Burnie, MD 21060-6923

Life is in the middle of the health of these fish.

Douglas McNeill
33 Ridge Rd, Unit T
Greenbelt, MD 20770-7749

Please consider these comments. Thanks you!

Shirley Probst
3 Preakness Ct
Owings Mills, MD 21117

Katherine Babiak
8350 Woody Rd

Port Tobacco, MD 20677

Dr. Lih Young
1121 Pipestem Place
Rockville, MD 20854

Jeremy Marks
13911 Flint Rock Road
Rockville, MD 20853

Michael Kevany
615 Bennington Lane
Silver Spring, MD 20910

Maureen Wheeler
304 Marvin Road
Silver Spring, MD 30901-1725

Jessica Tucker
47 W. George St.
Westminster, MD 21157

The reasons for this are obvious by now. We have seen countless examples of the inter-dependency of all members of the food chain.

Lawrence Fischman
153-B Park Row
Brunswick, ME 04011

Lenore Sivulich
47 Gloucester Hill Rd
New Gloucester, ME 04260

J. Valentine
RR 1
Portland, ME 04101

Please act to save our environment.
Michael Haskell
7 Sweetbrier Lane
Scarborough, ME 04074

As any competent fisheries biologist must know, anadromous clupeids are philopatric spawners; they return to the river of their birth to reproduce. Seiners and trawlers that take them offshore can easily exterminate the entire spawning cohort of one or more watersheds, leaving

the alewives or shad extinct in those watersheds. This simply must be forbidden. When, in the 1950s, MA seiners discovered the offshore "hotspots" where anadromous and pelagic clupeids congregated before the anadromous species peeled off for their natal waters, they raised the annual catch from 4-5 million pounds (caught inshore in weirs and pounds) to over 35 million pounds. Within a decade the offshore catch had declined to 3-4 million pounds, and the inshore catch was nil. I can send you the graphs and data if you wish--it's all from government sources.

William Leavenworth
198 Pond Road South, PO Box 69
Searsmont, ME 04973

Abigail Gindele
77 Old South Rd
South Berwick, ME 03908

Jeff Charity
POBox 252
South Paris, ME 04281

Our species must cease decimating the species that make up the woefully wobbly "balance of Nature". River herring and shad are among the dwindling fish populations that are crucial for maintaining healthy ecosystems. I believe your work on this issue is very, very important.

Judith Mitchell
20 Feyler's Corner
Waldoboro, ME 04572

Without a balanced ecosystem, fish and marine life simply cannot survive. Maintaining its growth and health is vital to marine sustenance.

Zoey Green
2898 Davison Ave
Auburn Hills, MI 48326

Julie Skelton
40900 Bemis Rd
Belleville, MI 48111

Lorne Beatty
573 N. Maxfield Road
Brighton, MI 48114

Linda Prostko
PO Box 54
Caledonia, MI 49316-0054

William Gardner
1501 NETLD
Central Lake, MI 49622

Monique Musialowski
44474 Bayview Ave #17113
Clinton Twp, MI

Matthew Boruta
1820 N Rosevere Ave
Dearborn, MI 48128

Marc Schoenberg
21761 S. Brandon
Farmington Hills, MI 48336

Veronica Hayes
242 W Chesterfield
Ferndale, MI 48220-2428

Beth Prudden
1656 Brys
Grosse Pointe, MI 48236

Mary Tanoury
357 Rivard
Grosse Pointe City, MI 48230

Jon Krueger
5843 Seymour Rd.
Jackson, MI 49201

Art Hanson
1815 Briarwood Dr.
Lansing, MI 48917

Natalie Hanson
1815 Briarwood Dr.
Lansing, MI 48917

Sandra Eschbach
18197 Jamestown Circle

Northville, MI 48168

Jean Bails
21221 Thiele Ct.
St. Clair Shores, MI 48081

Amanda Segur
40001 N. Cornwall Circle
Sterling Heights, MI 48310-2025

We must preserve the natural ecosystem.
J. Tioran
4001 Green Lake Rd.
W Bloomfield, MI 48324-2847

Ester Fucha
P o box 502
Lapeer, MI 48446

Tanya Koester-Radmann
10649 Point Pleasant Rd.
Chisago City, MN 55013

Mary Madeco-Smith
13998 165th sT.
Little Falls, MN 56345

John Viacrucis
3002 17th St. S Apt. 206
Moorhead, MN 56560

Alan Olander
25998 277th Avenue
Nevis, MN 56467

Jody Goldstein
PO Box 8025
Rochester, MN 55903

Lynn C. Lang
1721 Polaris Court
Saint Cloud, MN 56303

Chris Kornmann
1735 Van Buren
St. Paul, MN 55140

Jennifer Schally
1104 Creekside Circle
Stillwater, MN 55082

Terri Reischl
1958 Florence St.
White Bear Lake , MN 55110

Christy Barnes
1679 NW 785th Road
Bates City, MO 64011

Nicole Strathmann
1375 swan Drive
Florissant, MO 63031

Carl Nylund
13105 Herrick Ave
Grandview, MO 64030

MSGT Michael Pound, Retired, US Army
12101 East 58th Terrace
Kansas City, MO 64133

Steven Davies
1214 Folger Ave
Kirkwood, MO 63122

Anthony Donnici
118 N Conistor Ln #292
Liberty, MO 64068

James Deshotels
161 Vondera Dr
Robertsville, MO 63072

Marci Kelley
2261 Blendon 2N
St. Louis, MO 63143

William Schultz
339 W 4th St
Whitefish, MT 59937

Jamee Warfle
30 Ocala Street
Arden, NC 28704

Maria Geenzier
10 Alexander Dr, Apt 312
Asheville, NC 28801

Ralph Hagewood
232 Richmond Hill Dr
Asheville, NC 28806

Carol Hoke
72 Lakeview Court
Brevard, NC 28712

Meredith Green
4902 Elder Ave
Charlotte, NC 28205

Roberto Penaherrera
8945 Camden Creek Ln. #203
Charlotte, NC 28273

Designation would rebuild river herring and shad populations in four ways.

1. Gather better data and improve the population estimates of river herring and shad.
2. Coordinate with state and local efforts to restore river herring and shad.
3. Identify and protect habitats essential for river herring and shad.
4. Set science-based annual catch limits.

Lisa Neste
4437 Garden Club St.
High Point, NC 27265

Linda Peterson
404 Wood Lark Ct.
Indian Trail, NC 28079

Everything has a purpose. We don't know everything. We co-exist here. We are not the owners or rulers.

Christine Chaplik
7974 Garrott Rd
Liberty, NC 27298

They are critical for the ocean and coastal ecosystem. They feed larger fish, birds and dolphins.

Christi Dillon
175 Forest Ridge Rd
Mooresville, NC 28117

Marie Michl
108 Whispering Pines Drive
Rocky Mount, NC 27804-6332

Arthur Firth
1011 Emerald Bay Dr.
Salisbury, NC 28146/1586

Harry Mauney
1795 John Small Avenue
Washington, NC 27889

Walter Hewett
110 Abalone Drive
Wilmington, NC 28411

Jackie Adam
Box 194
Fargo, ND 58108

Doug Krause
31 Battleford Bay
Fargo, ND 58108

Carol McWhirter
480 W Rosedale Rd
Doniphan, NE 68832

Every fish has a purpose and if you deplete or delete one species, all the other species will suffer.

Renae McKeon
711 13th Ave
Kearney, NE 68845

Heidi Ludwick
1009 s Madison
Papillion, NE 68046

Margery Coffey
P.O. Box 279
Rosalie, NE 68055

Kellie Smith
13 Brandy Lane
Deering, NH 03244-6500

Please help save our fish and the oceans they live in. Future generations need this as much as we do.

Maura Iley
10 Reservoir Street
Nashua, NH 03064

All fish species are important for a healthy ecosystem and thus need our protection.

Jennifer Books
63 North Maple Ave.
Basking Ridge, NJ 07920

Many "sustainable" methods of fishing are just green wash. Strong protections and enforcement must be enacted to prevent the further collapse of fisheries.

Carol Jagiello
91 Wood Place
Bloomingdale, NJ 07403

Let's protect our future by becoming more responsible and accountable for caring for ALL our resources. We must find balance and be better stewards. Stop being so destructive.

Kathleen Ross
PO Box 25
Bordentown, NJ 08505

Cori Bishop
PO Box 1154
Brigantine, NJ 08203

Mr. & Mrs. Bruce Revesz
103 The Fairway
Cedar Grove, NJ 07009

Jan-Paul Alon
5 Pebble Lane
Cherry Hill, NJ 08002

Denise Lytle
73 Poplar St.
Fords, NJ 08863

Michelle Murphy
334 Maddock Ave
Hamilton, NJ 08610

Eileen McNamara
513 Garden Street
Hoboken, NJ 07030

All animals are important. Save these fish.
Sue Swiss
6 Skidmore Trail

Hopatcong, NJ 07843

Joann Ramos
64 Fiume st
Iselin, NJ 08830

Kelly Choi
12 N Oak Ct
Madison, NJ 07940

Mary M Hamilton
SandyHook SeaLife Foundation, 326
Stokes Road, Unit 372
Medford, NJ 08055

Maki Murakami
3 Pheasant Lane
Monroe, NJ 08831

An ecosystem-based approach to fish management is vital for sustainable marine life.

Millicent Sims
12 Roosevelt Place
Montclair, NJ 07042

David Valentino
39 Falson Lane
Morganville, NJ 07751

The intrusion of man into the naturally balanced ecosystems of our planet has resulted in tragedy in many areas. Now more than ever, we need to be mindful of our responsibility to all creatures who inhabit the earth and their interdependence upon each other.

Mary Jane Dodd
624 South Riverside Drive
Neptune, NJ 07753

Andrea Abbott
1294 Eatontown Blvd.
Oceanport, NJ 07757

Dennis Morley
104 Throckmorton Lane
Old Bridge, NJ 08857

Larry Siegel
2113 Fox Run Drive
Plainsboro, NJ 08536

Alice Artzt
51 Hawthorne Ave.
Princeton, NJ 08540

Seymour Brodsky
247 Burnside Place
Ridgewood, NJ 07450

Nick Berezansky
123 Washington Pl.
Ridgwood, NJ 07450

Many rivers in New Jersey were horribly polluted. Little by little, there is interest in cleaning it up so fish can thrive once more. It is so important to sustain these fish.

Heather Nemeth
416 Stonetown Road
Ringwood, NJ 07456-1200

Mary Rivas
633 Lippincott
Riverton, NJ 08077

SUSTAINABLE POPULATIONS ARE
NECESSARY ULTIMATELY FOR THE
HUMAN FOOD SUPPLY.

Betty Butler
33 Shrewsbury Drive
Rumson, NJ 07760

Joan Cambria
Ave of two rivers
Rumson, NJ 07760

Michael Carney
25 Bowers Ave.
Runnemede, NJ 08078

Ellen McConnell
14 Winsor Ct
Sayreville, NJ 08872

Kinga Salierno
13b Willow St.
Toms River, NJ 08757-2458

The environment depends on balance and responsibility. Humans need to protect, not exploit all wildlife.

Judy Fairless
76 Liberty Corner Road
Warren, NJ 07059

No species should be allowed to disappear if we do something about it.

David Kissinger
7421 Driftwood Lane
Weymouth, NJ 08330

Andrea Smith
211 Florida Avenue
Williamstown, NJ 08094

Other fish and marine mammals depend upon herring to feed. In addition, many people make a livelihood on shad fishing. Where I live, we have a huge shad festival for a weekend in the spring and it is a big money maker for the town that hosts it. Both these fish are important for healthy rivers.

Cheryl Dzubak
69 Elton Avenue
Yardville, NJ 08620

Stephen Sachs
1916 San Pedro Dr NE
Albuquerque, NM 87110

The sustainability of oceans is essential for our survival.

Susan Selbin
2431 Northwest Cir NW
Albuquerque, NM 87104

An intact biosystem is the healthiest and most sound. There are intertwined pyramids of predator and prey that will be more disastrously affected if these two key fish are eliminated or their numbers are significantly curtailed. The system is balanced for a reason and should be maintained as closely as possible to the ideal to allow sustainability.

Jon Spar
1408 Lobo Ct NE

Albuquerque, NM 87106

Karl Maness
244 Lark Road
Jemez Springs, NM 87025

Patricia Carlton
500 Rodeo Rd., #1121
Santa Fe, NM 87505

Kirsten Lear
219 Anita place
Santa Fe, NM 87505

Please save the river shad and herring by adopting a plan to monitor illegal and unobserved catches. It is so important to have a designated plan that will help monitor and restore these important fisheries.

George Price
15B Vuelta Chamisa
Santa Fe, NM 87506

Trent Block
P.O. Box 5823
Incline Village, NV 89450

All life in the ecosystem is vital. It needs to be protected, especially marine life. Water is the "blood" in the veins of the "body" of the earth.

Alexis Church
5001 O'Bannon Dr.
Las Vegas, NV 89146-3412

I believe in taking care of the environment no matter how big or small. Life everywhere is important.

Amanda Esposito
17995 Blackbird Dr
Reno, NV 89508

Andria Herron
P O Box 8534
Reno, NV 89506

William Peltz
109 Grove Ave.
Albany, NY 12208

This is so obvious as to be an exercise in stooping down. Think ecosystem and the planet, and stop messing with everyone's life. Do the right thing: Be a steward, not a destroyer. Thanks in advance.

Michael Peters
7 Alsen Street
Albany, NY 12205

Ryan Muhammad
8838 238 St
Bellerose, NY 11426

As a retired teacher of Earth Science, I am aware of the Balance in Nature. I also remember the commercial that warned us - IT'S NOT NICE TO MESS WITH MOTHER NATURE! Do you remember what happened to the man who did?

Sister Anne Michel
St. Joseph Convent, 1725 Brentwood Rd
Brentwood, NY 11717-5543

Nicholas Prychodko
PO Box 2138
Bridgehampton, NY 11932

River herring and shad play a vital role in the coastal and ocean ecosystems. They feed many of the larger fish, birds, dolphins and whales. They also support the commercial fishing of larger, commercially valuable fish like cod, striped bass and tuna. The health of the ocean ecosystem depends on these forage fish.

Michael Bilecki
31 Locust Road
Brookhaven, NY 11719

Stephen Appell
15 Wellington Court
Brooklyn, NY 11230

Anthony Iacono
1024 Avenue W
Brooklyn, NY 11223

We are all connected. The smaller fish are

eaten by the larger ones. We need each other to survive.

Gina Santonas
211 Cornelia St
Brooklyn, NY 11221

Kate Skolnick
545 Washington Ave., 704
Brooklyn, NY 11238

Madeline Sosa
95 N.6 Street
Brooklyn, NY 11249

Oliver Yourke
525a 6th Ave
Brooklyn, NY 11215

Elaina Foxx
299 18th Street
Brooklyn, NY 11215

Javier Rivera
55 South 3rd Street
Brooklyn, NY 11249

Glenn Hufnagel
1174 Kensington Ave.
Buffalo, NY 14215

Mallika Henry
18 Broad St.
Cambridge, NY 12816

It is the right thing to do.
Sarah Hamilton
9087 Tioughanack Rd
Canastota, NY 13032

Tracy Nolan
56 Cowdin Circle
Chappaqua, NY 10514

The Hudson River fish population is being threatened by bridge construction, pollution and nuclear plants. We must take action to protect river herring, shad, striped bass and sturgeon.

Hazel Landa
3837 NY Highway 2

Cropseyville, NY 12052

Dina Williams
1411 Dieman Lane
East Meadow, NY 11554

We tend to forget that everything depends on something, we must keep a balance in life for survival

Victoria Gaynor
68-43 Burns St, A1
Forest Hills, NY 11375

These fish are in decline, yet they are vital to the food chain on which we all depend.

Elizabeth Mooney
100-10 Ascan Avenue
Forest Hills, NY 11375-6812

Susan Halloran
521 Madison Lane
Hamilton, NY 13346

Hillary G. Buckingham
173 Warburton Avenue
Hastings on Hudson, NY 10706

Robin Dolbear
P.O. Box 4, 113 Catherine St
Hermon, NY 13652

Maura Ellyn
52 Canal Road
High Falls, NY 12440

Thomas Hohn
244 Hayts Road
Ithaca, NY 14850

Carol Painter
141 Westhaven Rd.
Ithaca, NY 14850

Jeannine Azan
1 Griddle Ln
Levittown, NY 11756

Joanna Bagatta
7 Casse Court
Mahopac, NY 10541

Richard & Eileen Heaning
12 Seneca Dr.
Massapequa, NY 11758

Christina Marcus
7 Emily Court
Medford, NY 11763

I grew up in SE Florida and Sheepshead Bay, Brooklyn, NY in the '50's and '60's. Both had vibrant fishing for business, subsistence and recreation. This is no more thanks to over-development, degraded wetlands, and onshore offshore reefs.

Anthony M Dambrosi
19 Broad St
Middletown, NY 10940

Marlena Lange
23 Royce Ave.
Middletown, NY 10940

Joseph Alfano
235 East 57th Street
New York, NY 10022

River herring and shad play an important role in the circle of life along the Atlantic coast. They are prey for birds, marine mammals, and other fish at sea and in rivers. In addition, these species once supported vital commercial fisheries.

J. Capozzelli
315 W. 90 St.
New York, NY 10024

Without an ecosystem-based approach to fish management, all the types of fish will become unsustainable.

Leslie Cassidy
534 East 83rd St, Apt 2B
New York, NY 10028

Fletcher Cossa
622 East 20th Street
New York, NY 10009

Janet Forman
351 West 24 St, Apt 12C

New York, NY 10011

Eleanor Fox
406 E. 80th St.
New York, NY 10075

Valerie Gilbert
New York, NY 10022

Barb Holtz
245 E. 25th St
New York, NY 10010

Justine King
444 East 75th Street #7C
New York, NY 10021

Donna Knipp
60 Seaman Ave., #2E
New York, NY 10034

Joseph Quirk
147 Avenue A #2R
New York, NY 10009

Cynthia Raha
5 Tudor City Place
New York, NY 10017

William Sharfman
50 Riverside Drive
New York, NY 10024

Ann Sprayregan
25 Chittenden
New York, NY 10033

David Stermberg
117W 13th St
New York, NY 10011

Elisabeth Youngclaus
15 Jones St
New York, NY 10014

Robin Kay Lim
46 Allen Street, Apt 2h
New York, NY 10002

Joel Finley
630 Kendrickst.
Ogdensburg, NY 13669

Yvonne Pratt
2 Frank St
Patchogue, NY 11772

Mary O'Byrne
99 Schoolhouse Rd
Port Jervis, NY 12771

Linda Brebner
254 Highland Parkway
Rochester, NY 14620

Russell Todd
15 Orchard Court
Roslyn Heights, NY 11577

Janice Bernard
100 Revolutionary Road
Scarborough, NY 10510

Patti Pacxker
5 Jennifer Rd
Scotia, NY 12302

Lee Margulies
32 Glenridge Ave
Stony Brook, NY 11790

Ethan Middlebrooks
38-17 52nd Street
Sunnyside, NY 11104

Kelley Scanlon
281 Norwood Avenue
Syracuse, NY 13206

Forage fish are an important cornerstone
of the ecosystem.

Amanda Benvenuto
2403 Broadway Apt 2
Watervliet, NY 12189

Jean Naples
9 Benson Street
West Haverstraw, NY 10993-1302

Alexandra Tumarkin
38 Smith Avenue
White Plains, NY 10605

Floss Shahbegian
15415 24 Road
Whitestone, NY 11357-3730

Sondra Rutherford
166 Second Ave
New York, NY 10003

Charles Adam
2287 7th Street SW
Akron, OH 44314-2137

These fish are crucial to the food chain.
Please protect them.

Kimberly Selvage
1941 Co Rd 228
Ashley, OH 43003

Nelson Baker
40410 Fitzgerald Rd
Bethesda, OH 43719

Marla Holbrook
Brookville, OH 45309

River herring and shad provide food for
the larger members of the fish family.
When they go, so does a major part of our
food supply. We need more diversity, not
less.

Ann C. McGill
1947 Rocklyn Drive
Brunswick, OH 44212-4071

Andrea Zemel
18210 Snyder Rd
Chagrin Falls, OH 44023

We must protect all species as everything
is connected in ways we don't understand
until it's too late.

John Schmittauer
P.O. Box 193 Sand Ridge
Chauncey, OH 45719

Kurt Frees
1350 Pebble Ct. #154
Cincinnati, OH 45255

Sybil Ortego
816 Dayton Street
Cincinnati, OH 45214

Susan Miller
373 E Kelso Rd
Columbus, OH 43202

Pamela Unger
5559 North Meadows Blvd.
Columbus, OH 43229

Chris Baker
1801 Washington Landing Drive
Eaton, OH 45320

Bernee Mancuso
160 Spruce St
Elyria, OH 44035

James Parish
11200 Hooper Ridge
Glouster, OH 45732

These are a food source for many species
and if they go, many species will
experience decline, possibly catastrophic
decline.

Glynis Boyd
1609 Stanhope Kelloggsville Road
Jefferson, OH 44047

Jennifer Rivers
203 West 8th St
Lorain, OH 44052

Natalie A. Carter
562 Maple Ave
Newark, OH 43055

The herring and shad are CRITICAL to the
whole oceanic ecosystem. Everything we
rely on relies on them, directly or
indirectly. That system cannot function
without them. Please raise their priority
much higher.

David Christman
5273 Morning Sun Rd.
Oxford, OH 45056

This planet is our home. The only one we
have. If we destroy it, where will we go?
Every ecosystem we harm, every species
we cause to disappear, pushes us a step
closer to our own extinction.

Daniel Cottle
1552 Hogan St.
Portsmouth, OH 45662

Chuck Countryman
P.O. Box 117, 2947 East Water St
Rock Creek, OH 44084-0117

Fatima Al-Hayani
2323 E. Greycourt Dr
Toledo, OH 43615

Nicole McAtee
5103 Ford Ave.
Toledo, OH 43612-3015

Sharyn Porter
60 Colburn Court
Worthington, OH 43085-2636

Mary Price
2501 East Leroy Road
Cleveland, OH 74020

Lydia Garvey
429 S 24th Street
Clinton, OH 73601

Lana Henson
2009 N Gatewood Ave
Oklahoma City, OK 73106

Mary Walker
8632 Little Rd SE
Aumsville, OR 97325

Susan Wechsler
1820 NE Vine Ave
Corvallis, OR 97330

Randy Harrison
4051 Wagner St
Eugene, OR 97402

I believe in protecting all of marine life and
wildlife in general.
Caren Liebman
3003 Willamette
Eugene, OR 97405

Roberta Vandehey
20481 Winlock Lane
Fossil, OR 97830

Theresa Day
4981 SE Rainbow Lane
Milwaukie, OR 97222

Joel Kay
10707 SE Stanley Ave
Milwaukie, OR 97222-4362

David Wilson
P.O. Box 335
Myrtle Point, OR 97458

For too long fisheries have not been
adequately protected. Even when
regulations are in place, observation has
been too sparse to make a real difference.
Please step up to this task. You can do this!
Pamela Allee
7425 N Portsmouth ave
Portland, OR 97203

Joan Beldin
10223 N. Hudson St.
Portland, OR 97203

We must take a ground up approach to fish
management. If the little things die, then
what do the big things eat?
Rob Bodner
4031 SE Sherman St
Portland, OR 97214

Meghan Dooney
2934 SE Stephens St.
Portland, OR 97214

Ben Earle
5524 NE 30th Ave.
Portland, OR 97211

Angela Fazzari
5414 NE Halsey St
Portland, OR 97213

Nancy Fleming
802 SW Terwilliger Place
Portland, OR 97239

James Gilmore
3532 N Missouri Ave
Portland, OR 97227

Such a basic, vital part of the marine food
chain must be protected. We must look to
the long-term and protect such essential
resources for the future.

Stacy Green
1523 SE Taylor St.
Portland, OR 97214

Donlon McGovern
4107 NE 24th Ave
Portland, OR 97211

Maureen O'Neal
9100 s.w. 80th ave.
Portland, OR 97223

Debra Rehn
5130 SE 30th Av. #9
Portland, OR 97202

What will happen when we have
destroyed the Ocean systems?

Ann Hollyfield
Box 70
Seal Rock, OR 97376

Shirley Smith
25115 E. Broadway Ave, Apt. 3
Veneta, OR 97487

Ann Seip
5137 Pintail Court
Bensalem, PA 19020

Ron Richter
926 Prospect Ave
Bethlehem, PA 18018

You inherit the suffering you cause,
especially to those lesser than we. It's your
inevitable karma.

Sigmund Finman
202 Glen Spring Circle
Canonsburg, PA 15317

David Guleke
2320 Chestnut St
Chester, PA 19013

Deanne O'Donnell
137 Rond Drive
Derry, PA 15627

Melissa Evans
103 Kemmerer Ave
Factoryville, PA 18419

Lynn Manheim
55 Mound Avenue
Factoryville, PA 18419

Robin Schaef
12158 State Highway 198
Guys Mills, PA 16327

Kelly Riley
1343 Needham Circle
Hatfield, PA 19440

River herring and shad have all too often
been overlooked, with the focus directed
on ocean fish like mackerel and salt-water
herring. Yet these fish, too, are critical to
the global food chain (including human).
Catch caps and monitoring would go far to
protect these valuable fish, as would
adding coverage for them to Amendments
5 and 14. Your consideration is most
appreciated.

Susan Markowitz
PO Box 656, 3775 Street Rd
Lahaska, PA 18931-0656

Stephen Carl

1337 N Broad St
Lansdale, PA 19446

Valerie Smith
401 Stratford Court
Lansdale, PA 19446

Claudia Martin
15 Franklin St
Latrobe, PA 15650

Jon Levin
1899 Aster Rd
Macungie, PA 18062

Sidne Baglini
203 Channing Ave.
Malvern, PA 19355

Lisa Rochelle
P.O. Box 202
Martins Creek, PA 18063

Sara Phillips
825 Lawrence Street
Monongahela, PA 15063

Dru Ann Delgado
220 Lea Street
Munhall, PA 15120

Jeffrey Bedrick
836 Goshen Road
Newtown Square, PA 19073

Michael Balsai
350 E. Willow Grove Avenue
Philadelphia, PA 19118

It's been said that what we are doing to the
oceans of the world is but a mirror
reflection of what we are doing to
ourselves and to one another. This should
give one pause. Protecting the river
herring and shad is the way forward.

Bridget Irons
16 W. Southampton Ave.
Philadelphia, PA 19118-3909

Ruth Anne Dayton
3836 Sunview Dr.
Pittsburgh, PA 15227

Ramona Sahni
46 Mallard Drive
Pittsburgh, PA 15238

Henry Berkowitz
141 Sperry Young Rd
Sabinsville, PA 16943-9749

Marc J Mancini
1529 Berryman Ave
South Park, PA 15129

Carol Thompson
2874 Amy Drive
South Park, PA 15129-8955

Pamela Jensen
407 North Wayne Ave
Wayne, PA 19087

Every species has a right to live in its natural habitat. Every species has a value in the food chain. That is God's plan. We are here to protect the Earth, not destroy it.

Marcia Gordon
3008 Valley Drive
West Chester, PA 19382

Garry Taroli
15 South Franklin Street
Wilkes Barre, PA 18711

Sandra L Bogin
2 Greenwood Mall st
Wyomissing, PA 19610

Sheila Ward
1057 Calle 8, Urb. Villa Nevarez
San Juan, PR 00927

I am a professional biologist with a long career invested in conservation, much of it in New England.
James Lazell
6 Swinburne St.

Jamestown, RI 02835

I do not have to tell you why it is important to take an Ecosystem approach...you already know that. If you do not you have the wrong job. We must preserve our environment for future generations unless of course you have another agenda? Allowing BIG Corpora to take over our environment for profit maybe? That is totally unacceptable! Every one of us needs to stop this! ASAP! I am a 68 year old Grandmother. And I love this beautiful country..not so much those running it. We need to stay at home and fix what is wrong and stop the damn WARS that kill and maim innocents and anything else that gets in the way of the nasty O'USA! Start healing and mending and stop hurtin and killin!!! AND starving! There are people starving in my own country and millionaires getting richer everyday! What kind of way is that to run a civilized society? Stopping the environmental assault is a beginning to set things right...

Karen Munro
1104 Baucom Park Dr
Greer, SC 29650

Jan Modjeski
4315A Lotus Court
Murrells Inlet, SC 29576

Caitilin Kane
612 E. 4th St.
Dell Rapids, SD 57022

Chris Long
411 N 6th Street, #3653
Emery, SD 57332

Alan Brockway
23756 Arena Dr
Rapid City, SD 57702

Larry Olivier
168 Lynda Circle
Chattanooga, TN 37405

Helen Drwinga
1101 Barrel Springs Hollow Road
Franklin, TN 37069

Hiedi Tan
722 Andover Blvd
Knoxville, TN 37934

Cheryl Dare
1081 Court #810A
Memphis, TN 38104-2126

Teresa Iovino
4669 Dunn Ave
Memphis, TN 38117

Robert Fingerman
PO Box 977
Monteagle, TN 37356

Chris Drumright
1434 E. Main St. #26
Murfreesboro, TN 37130

Bettina Bowers Schwan
4905 Tanglewood Dr
Nashville, TN 37080

Dr. Ed Slack
2311 Selma Ave
nashville, TN 37214

Bruce Burns
11441 N IH-35 #19105
Austin, TX 78753-2971

Henry Ewert
14127 Dwyce Dr
Austin, TX 78757

Steve Lucas
2706 Dwel Curto Rd
Austin, TX 78704

Vince Mendieta
6005 Cherry Creek Dr.
Austin, TX 78745

Chris Pomeroy
11911 Rennalee Loop

Austin, TX 78753

Gail J. Reams
3114 West Avenue
Austin, TX 78705-2123

Gina Touchstone
8801 LaCresada Dr. #1622
Austin, TX 78749

Please take these very necessary actions
Sally Jacques
4620 Banister Lane
Austin, TX 78745

James Klein
3501 Monterrey St.
Corpus Christi, TX 78411

Jan Weaver
5217 Mill Wood Dr
Corpus Christi, TX 78413

My preference is that wildlife of any form should be allowed to exist for its own sake, as opposed to being seen as food to be harvested. Hunting and fishing to the brink of extinction is not something that appeals to me. To that extent, I am a supporter of all attempts to safeguard environments and to put in hunting/fishing limits to sustain healthy water and ground-based forms of wildlife.

Raman Rajagopalan
18558 Vista del Sol Dr
Dallas, TX 75287

Joel Perkins
3117 Cedar Hill
Denton, TX 76209

Franklin Platizky
3117 Cedar Hill
Denton, TX 76209

Rebecca Marshall
731 Lindsay Street
Gainesville, TX 76240-5338

Cari Brookbanks
1031 Key St
Houston, TX 77009

Sean Byrne
6700 Belmont St #1
Houston, TX 77005

Melissa Cleaver
13115 Walnut Lake Road
Houston, TX 77065

Jamika James
535 Seminar Drive, Apt #335
Houston, TX 77060

Annette Pieniazek
2212 Dunlavy Apt 11
Houston, TX 77006

Mary Price
8w31 Bradwell
Houston, TX 77062

Sandra Reeves
4899 Montrose Blvd. #814
Houston, TX 77006

Reita Troum
10002 Greentree Road
Houston, Tx 770421228

Sharon Frank
2006 Pheasant Dr
Lewisville, TX 75077

Johnnie Prosperie
1910 Linn Flat Road
Nacogdoches, TX 75961

Kathy Gibbs
2319 echoing oak
New Braunfels, TX 78132

Janice Rogers
1300 Joe Louis Apt 801
Port Arthur, TX 77640

Randy Thomas
304 Dover Dr.

Richardson, TX 75080

We must plan and work with the big picture in mind, or we will eventually endanger our own existence.

Shirlene Harris
13333 Syracuse
San Antonio, TX 78249

Kathy Newman
8414 Timber Fair
San Antonio, TX 78250-4163

Sandra Woodall
118 W. Hermine Blvd.
San Antonio, TX 78212-1203

M Bradburn
1770 Nursery Rd
Spring, TX 77380

Jim Bush
803 Cantrell
Waxahachie, TX 75165

L. Zeveloff
2870 Wheelock Ave.
Ogden, UT 84403

William Goe
5185 Westmoor Rd
Salt Lake, UT 84117

Ecosystems are dependent on one another. Lose one and you cannot predict the viability of all!

Sundra Allen
259 Wayne Ct
Salt Lake City, UT 84101

Allison Fleming
1127 E. Westminster Ave.
Salt Lake City, UT 84105

We will not have many more chances.

M Garrett
1133 Green
South Jordan, UT 84095

Vicky Newell
209 E. Del Ray Ave
Alexandria, VA 22301

Lisa Walthers
5244 11th Street South
Arlington, VA 22204

Bethany Cardone
5859 Jacksons Oak Ct
Burke, VA 22015

Annette Overstreet
202 Shady Oak Lane
Forest, VA Forest

Elizabeth Brown
847 Stuart St.
Harrisonburg, VA 22802

Lisa Knight
370 Neff Avenue, Suite K
Harrisonburg, VA 22801

Christine Payden-Travers
1711 Link Road
Lynchburg, VA 24503

Simona Bergman
13444 Carriage Hill Drive
Manassas, VA 20112-3837

Victor Escobar
11747 N Briar Patch Dr
Midlothian, VA 23113

Sarah Propst
48 Crestwood dr
Newport News, VA 23601

Edmond Marroni
2205 Corbett Ave
Norfolk, VA 23518

We have to stop thinking of short-term profits and urgently plan for the future of our children. If we want a healthy planet that feeds us all, including generations to come, we have to plan wisely.
Anka Jhangiani

2071 Golf Course Dr
Reston, VA 20191

My Dad and sister and I caught river Herring as a kid to salt to relive a Richmond Tradition in the 1970's. There were so many you could catch 18 in one scoop. The city has come to realize that the River Herring support a Great Blue Heron Rookery and walks are given in the Spring to see the Great Blue Herons eating the fish and nesting. Other Richmonders fish for Rockfish in Downtown Richmond which eat the Herring. Bald Eagles also feed on the herring, as well as our winter Ring-billed Gulls.

James Shelton
811 Roehampton Ct
Richmond, VA 23236

No species can be sustained when not kept within an ecosystem-based approach to management. Not only will the river herring and shad be lost, but those who drove them to that end will destroy their own way of making a living. For their own sake, they should not ignore the ecosystem approach to management.

Louise Mann
10201 River Rd.
South Chesterfield, VA 23803-1048

Louise Perini
5201 Bradwood St
Springfield, VA 22151

Laura Grove
815 Capitol Landing Road
Williamsburg, VA 23185

Dr.Robert and Ginny Bonometti
260 Golds Hill Rd
Winchester, VA 22603

Without little fish, there are no big fish. Think about it - the big fish are the ones we want to eat.
Phyllis White
1307 Hornsbyville Rd
Yorktown, VA 23692

Judith Hazelton
1617 US Route 7
Bennington, VT 05201

Without forage fish, our food fish will not be able to survive and reproduce! Please protect forage fish. Thank you.

Virgene Link
P.O.Box 543
Anacortes, WA 98221

Victoria Trimble-Lowe
15665 SE 43rd St.
Bellevue, WA 98006

Summer Kozisek
10210 215th Ave E
Bonney Lake, WA 98391

We need to protect our entire ecosystem, from the building blocks up!

Judith Wheeler
23825 156h Ave SE #178
Bothell, WA 98021

With our oceans, rivers and lakes becoming more polluted with plastics and other toxins, it is imperative to take action to protect sea life. Every species has a role to play in a healthy ecosystem. We have already pushed too many to the brink of extinction.

Karen Falk
12612 2nd Ave S
Burien, WA 98168

James Mulcare
1110 Benjamin St
Clarkston, WA 99403-2576

Big fish eats a smaller fish. With no smallest fish, no one eats.

Mr. Shelley Dahlgren
4449 242nd Ave.S. E.
Issaquah, WA 98029

Debbie Thorn
710 18th Ave W
Kirkland, WA 98033

Diane Friddle
1561 Old Naches HWY
Naches, WA 98937

Arlene Golladay
1225 Bay Lp SW
Olympia, WA 98512

Nancy Bomgardner
27109 NE 45th St
Redmond, WA 98053

April Atwood
3037 NW 73rd St
Seattle, WA 98117

For healthy oceans, we need healthy ecosystems and sustainable fishing practices. Kill off any part of the chain from plankton to shark and you will kill the ocean. No healthy ocean, no healthy humans. We go hand in hand.

Liz Campbell
605 N 64th Street
Seattle, WA 98103

Conor Corkrum
2230 Yale Ave E, Unit D
Seattle, WA 98102

Beverly Deering
8717 29th NW
Seattle, WA 98117

Keith Fabing
4816 S. Alaska Street
Seattle, WA 98118-1851

Eric Fosburgh
1415 E Republican St #203
Seattle, WA 98112

Michael Gamble
85 Pike St, Apt. 207
Seattle, WA 98101

These are the fish that feed other fish and birds farther up the food chain. Without them, the system breaks down.

Jenny Garden

1545 NW 57th St #613
Seattle, WA 98107

Kerry Kovarik
341 N 102nd Street
Seattle, WA 98133-9117

Amanda Penn
6238 25th Ave NE
Seattle, WA 98115

Rick Rosenberry
10745 Durland Ave NE
Seattle, WA 98125

So many species depend on river herring
and shad, they are keystone species!
Charmaine Slaven
10624 4th Ave SW
Seattle, WA 98146

Kat Thomas
1007 Alder
Seattle, WA 98122

At some point, we all have to learn to
respect the species with which we share
the planet. We must learn to care about
their lives and their continued presence on
the planet. If we do not, yours and my
great great grandchildren may not have an
earth to enjoy, or it will be so devastated
by our foolish waste that it will hardly be a
life worth living. We have a short time to
work with this. Taking care of river
herring and shad is just one small step
that will add to what we all hope will be a
world that sustains all life--all life
Charles Morrison
19030 Fremont Avenue North
Shoreline, WA 98133-3824

Felicia Dale
321 Ave. G
Snohomish, WA 98290

Rand Guthrie
7102 77th Ave SE
Snohomish, WA 98290

These fish are important to the health of
many other commercial fisheries as well
as important in their own right.

Jack Stansfield
16314 62nd Ave NW
Stanwood, WA 98292

Lloyd Hedger
224 N G St. #405
Tacoma, WA 98403

Diane Shaughnessy
7308 N Skyview PL A208
Tacoma, WA 98406

We have found, much to our chagrin, that
trying to save one species or another, or
eliminate one species or another, does not
work. One needs to understand how the
species work together as food and feeders.
We need river herring and shad. They
have their place in the ecosystem of
marine life.

Emily Willoughby
17000 53rd Ave South
Tukwila, WA 98188-3250

We have nearly destroyed the earth and
the seas. It's past time to start recovering
what is left!

Ransom D Stone
5320 NE 81st Ave Apt 388
Vancouver, WA 98662-6366

We have to for the sake of the fish,
environment and us!

Karen Wible
4210 NE 130th Circle
Vancouver, WA 98686

Cami Cameron
1521 X Street
Vancouver, WA 98661

Stop decimating the natural ecosystems!
All wildlife populations should be what
they were 1000 years ago. If not, then you
are an invasive species that needs culling.
Actually, you've gone beyond being just an

invasive species. You're now a parasite
that is killing its host. You should be fired.

Stanley Jones-Umberger
37425 SE 39th Street
Washougal, WA 98671

Suzanne Hamer
17227 NE 195th St.
Woodinville, WA 98072

Beth Dannhardt
851 Cutler Way
Zillah, WA 98953

Robert Giese
525 N. Oneida St, Apt. 409
Appleton, WI 54911

My family does not eat fish, but maybe
once or twice per year. It's not worth the
damage to ecosystems.

Amy Holt
2952 Ivanhoe Glen
Fitchburg, WI 53711

Cindy Risvold
N7807 Lakeshore Drive
Fond du Lac, WI 54937

Debbie Cavataio
N114 W16776 Crown Drive
Germantown, WI 53022-3230

Jackie Tryggeseth
625 S Fawn Ave
Grand Marsh, WI 53936

Nancy Hartje
2126 Hoeschler Dr.
La Crosse, WI 54601

Nancy Gathing
3701 Tulane Ave.
Madison, WI 53714

Jeannie Roberts
1004 Yale Road
Madison, WI 53705

Joanne Wagner

4601 Windigo Trail
Madison, WI 53711

Jennifer Claunch-Meyers
2912 N Weil St.
Milwaukee, WI 53212

Every part of the ecosystem is important.
We just don't know how they all fit
together. Therefore, we must save it all.

Barb Eisenberg
1246 E. Chambers St.
Milwaukee, WI 53212

Mark M Giese
1520 Bryn Mawr Ave
Racine, WI 53403

Sandra Cope
217 N. Racine
Waukesha, WI 53186

James Taylor
6809 Upper Mud River Rd.
Branchland, WV 25506

Keith Smith
106 Aspen Lane
Buckhannon, WV 26201-6514

Whitney Metz
110 Dudley Fork Road
Mannington, WV 26582

River herring and shad play a vital role in
the coastal and ocean ecosystems. They
feed many of the larger fish, birds,
dolphins and whales. They also support
the commercial fishing of larger,
commercially valuable fish like cod,
striped bass and tuna. The health of the
ocean ecosystem depends on these forage
fish.

Staci Galvin
85 Argon St
Martinsburg, WV 25405

Jeannine Moore
4100 Leigh Lane
Alta, WY 83414

Susan Mumford
Dalvait Rd
Balloch, G83 8LB
United Kingdom

River herring and shad play a vital role in the coastal and ocean ecosystems. They feed many of the larger fish, birds, dolphins and whales. They also support the commercial fishing of larger, commercially valuable fish like cod, striped bass and tuna. The health of the ocean ecosystem depends on these forage fish.

Jelica Roland
Sv. Martin 96
Buzet, 52420
Croatia

Natalie Van Leekwijck
Boterlaarbaan 184
Deurne, 02100
Belgium

Ann Distin
29 Church Street
Helston, TR13 8TD
United Kingdom

Lorenz Steininger
Wald Street
Hohenwart, 86558
Germany

River herring and shad play a vital role in the coastal and ocean ecosystems. They feed many of the larger fish, birds, dolphins and whales. They also support the commercial fishing of larger, commercially valuable fish like cod, striped bass and tuna. The health of the ocean ecosystem depends on these forage fish.

Reidun Carstens
Holtervegen 100
Holter, 02034
Norway

Anna Louise E. Fontaine
102 Chemin du Lac Cloutier
Lantier, J0T 1V0
Canada

Renee Madera
C/ Marroquina, 65 7^oC
Madrid, 28030
Spain

Patricia Vazquez
Taller 791, Ed. 7, Apt 402
Mexico City, 15900
Mexico

Claudio Giovine
Milan, 20100
Italy

Enrico Porotti
Corso Calatafimi
Palermo, 90100
Italy

I do not have anything special to add to the ORI recommendations. I believe the technical part can be taken care of - how to manage slippage and by-catch so that these do not result in deaths of river herring and shad.

Pertti Veijalainen
Barrio La Democracia
Santa Fe, 22500
Honduras

Saving river herring and shad is absolutely vital for the ongoing sustainability of our fishing stocks and health of our waters. Please take action now before it's too late.

Amanda Wallace
47 Dean Way
Storrington, RH20 4QN
United Kingdom

Bronwen Evans
210-130 E 15th Ave
Vancouver, v5t4l3
Canada

Diletta Banco
Via Ponte Prella
Vico Canavese, 10080
Italy

Dorothea Stephan
Deglwies 1
Winzer, 94577
Germany

Cristina Seica
Encosta do Sol
Anadia, 3780
Portugal

Chantal Tousignant
744 Noriega way
Pacifica, 94044

Eleonora Paylovska
Dzenu 11-17
Riga, 1021
Latvia

Monika Huber
Springergasse 6/13
Vienna, A-1020
Austria

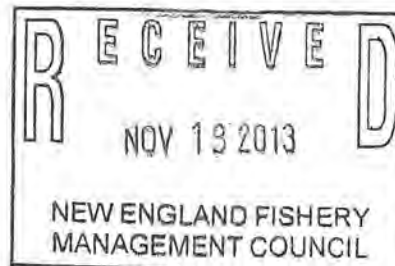
November 8, 2013

Via First Class Mail

Mr. Terry Stockwell, Chairman
New England Fishery Management Council

Mr. Doug Grout, Chair
Herring Oversight Committee

50 Water Street, Mill 2
Newburyport, MA 01950



RE: Priorities for the Atlantic Herring Fishery for 2014

Dear Chairmen Stockwell and Grout:

The Ad Hoc Pelagics Coalition is a new Gloucester-based organization comprised of mid-water trawl operators Irish Venture, Inc., owner of F/V *Western Venture* and F/V *Osprey*, and Western Sea Fishing Company, owner of F/V *Challenger* and F/V *Endeavour*, along with Cape Seafoods, Inc., a herring seafood processing company. All are long-time participants in the Atlantic herring fishery. The Coalition offers the following comments relevant to the discussion of herring priorities and other issues likely to arise at the New England Council's upcoming meeting in Newport, Rhode Island.

We understand the Herring Oversight Committee's position that the only herring management priorities for next year should be to address disapproved elements of Amendment 5 and action on monitoring. These are important, complex, and controversial actions in which the Coalition looks forward to participating. Undoubtedly, addressing these two matters will require significant staff and Council resources. There is an additional issue, however, that is not nearly so difficult to tackle, which we urge the Council to also address in the upcoming year.

Specifically, we are requesting expedited action to lift the annual closure of herring Management Area 1B from January through April. The Coalition believes this measure, included in recently implemented Framework 2, was an over-reaction to an unusual confluence of events in 2012, as explained below, and fails to recognize the relatively unpredictable nature of the herring stock distribution from year to year. Notably, this year, through October 26, only 44 percent of the Area 1B total allowable catch ("TAC") has been harvested.

This seasonal closure was primarily driven by the experience in 2012 when the convergence of a very low TAC in Area 1B (2,723 mt)¹ and an unusually large biomass of herring overlapping Areas 1B and 2, persisting there from November 2011 through the winter of

¹ As you will recall, the 2012 Area 1B sub-TAC was reduced by 1,639 mt (from 4,362 to 2,723) to account for an overage in the 2010 fishing year. Parenthetically, the 2012 overage was 1,555 mt, somewhat less than the 2012 area 1B TAC adjustment.

2012, led to both early closures of and overages in each of these areas. For Area 1B, in percentage terms, the overage was significant, 57 percent.² Notably, these factors also led to the first in-season closure of Area 2. By the end of February 2012, 104 percent of that year's Area 2 TAC had been harvested. 2012 was the first year that the allocations for Areas 2 and 3 had ever been fully utilized (and, indeed, exceeded), although the percentage of TAC harvested has been increasing as allowable harvest levels were steadily decreased and herring biomass grew.

As a result of these factors, the Council considered, and ultimately adopted, options for seasonal splits for Areas 1B, 2, and 3. While the Coalition supported the concept of seasonal allocations, it opposes the "zero allocation" of herring TAC in Area 1B from January to April, or any seasonal allocation for this area. The reason for this is, as the Council recognized in Framework 2, fishing occurs in this area year-round³ and winter is often a key time for herring fishing in Area 1B. While ideally fishing in all areas would occur year round, the fact is that predicting the time of year herring will be available in a particular area is impossible. The experience with this year's Area 1B fishery amply demonstrates the point.

An additional concern with limiting the Area 1B fishery to only the latter nine months of the year is that only a fraction of the harvest can be rolled over into the next fishing year when it is not fully utilized. By contrast, if all or a substantial portion of the TAC is allocated to winter season, unused quota is available later in the year.

Finally, we note that one of the stated purposes of the seasonal split was to "slow fishing effort by spreading it through the year, reducing the probability that the entire sub-ACL would be caught early in the fishing year."⁴ While that is a worthy objective – assuming that sufficient fishing opportunities exist later in the year – having a zero allocation for the first four months runs counter to this objective. The TAC has not been "spread through the year" but rather entirely prohibited in the year's first quarter.

As a result, the Coalition respectfully requests the Council either eschew the seasonal split for Area 1B entirely, as it did for Areas 2 and 3; or that it allocate a sufficiently high percentage, on the order of 75 percent, to the January to April season. The TAC for this area over the next two years is sufficiently high so that monitoring should not be an issue. Overages are unlikely because of other actions the Council included in Framework 2. Enacting this change can be quickly accomplished and will help the industry achieve optimum yield throughout Atlantic herring's range.

The only other issue we wish to raise is the motion that was tabled at the Council's September meeting to prohibit mid-water trawl gear in federal waters until 100 percent observer

² The overall herring TAC in 2012 was exceeded only by 3 percent. This was only year since the inception of quota management that the overall quota has been exceeded. Not coincidentally, the total TAC for 2012 was the lowest ever allocated.

³ See NEFMC, Framework Adjustment 2 to the Atlantic Herring Fishery Management Plan (FMP) AND Proposed Atlantic Herring Fishery Specifications for the 2013-2015 Fishing Years (January 1, 2013 – December 31, 2015) § 3.5.1.2.3, at 120 (July 2, 2013) ("Area 1B is used throughout the year.")

⁴ 78 Fed. Reg. 61828, 61832 (Oct. 4, 2013).

November 4, 2013

Page 3

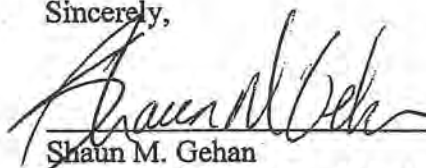
coverage can be implemented. We understand that Mr. Dempsey, the motion's maker, intends to move to take this motion off the table at the meeting later this month.


It would be our hope that, if this occurs, the motion is taken off the table and soundly defeated. There is no reason in law or policy to ban the small mid-water trawl fleet. As the Council has been repeatedly advised by the National Marine Fisheries Service ("NMFS") and scientific staff, there is no justification for 100 percent observer coverage. That said, recognizing the Council has expressed its opinion on this point, it would be unfair and contrary to law to punish this sector of the fishery for decisions made by NMFS. It would also be the final blow to Gloucester as a fishing port.

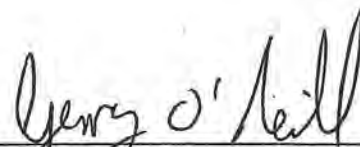
It is our sincere hope that as Amendment 3 moves forward, the Council recognizes that the few mid-water trawl vessels involved in the herring and mackerel fisheries operate the "cleanest" fishery in the Northeast Region. This sector has been under a microscope for years, and yet both at-sea and shore side monitoring continue to show that bycatch accounts, at the most conservative end of the range, for less than two percent of the total catch. Why anyone feels this fishery deserves to be even the subject of a motion such as this is beyond reckoning. Whatever the reason, it is not rooted in letter, purpose, or spirit of the Magnuson-Stevens Act.

Thank you very much for your attention to these comments. The Ad Hoc Pelagics Coalition looks for to continuing to work with Council on these and other import issues related to the herring fishery over the coming years.

Sincerely,


Shaun M. Gehan
Counsel to the Ad Hoc Pelagics Coalition


Dave Effenton
Cape Seafoods, Inc.


Gerry O'Neill
Western Sea Fishing Company
F/V Challenger
F/V Endeavour


Peter Mullin
Irish Venture, Inc.
F/V Western Venture
F/V Osprey



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

AUG 31 2012



C.M. "Rip" Cunningham, Jr., Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear Rip:

On August 2, 2012, the United States District Court for the District of Columbia issued a remedial order in the civil action Flaherty, et al. v. Blank, et al., Case No. 11-660. The Court ordered remedial action to address deficiencies identified by the Court with respect to Amendment 4 to the Atlantic Herring Fishery Management Plan (FMP), including the Court's findings that:

- NOAA Fisheries Service (NMFS) did not satisfy its obligation to independently determine whether Amendment 4's definition of "stocks in the fishery" complied with the Magnuson-Stevens Fishery Conservation and Management Act (MSA);
- NMFS did not adequately consider whether Amendment 4 complied with National Standard 9's requirement to minimize bycatch to the extent practicable; and
- NMFS violated the National Environmental Policy Act (NEPA) by failing to consider the environmental impacts of a reasonable range of alternatives for the acceptable biological catch (ABC) control rule, accountability measures (AMs), and measures for minimizing bycatch.

Consistent with the Court's remedial order, I recommend the New England Fishery Management Council (NEFMC) consider, in an amendment to the Atlantic Herring FMP, whether river herring (alewife and blueback) and shad (American and hickory) should be designated as stocks in the Atlantic herring fishery. The NEFMC's consideration should be based on, at a minimum, the following:

- The MSA requirements, described below, related to including a stock in an FMP;
- The 2012 Atlantic States Marine Fisheries Commission (ASMFC) river herring stock assessment report and peer review report;
- NMFS's 2011 finding that listing river herring as a threatened species under the Endangered Species Act may be warranted;
- The 2007 shad stock assessment report and its peer review report;
- Alternative Set 9 in the Mid-Atlantic Fishery Management Council's (MAFMC's) Amendment 14 to the Atlantic Mackerel, Squid, and Butterfish (MSB) FMP; and
- The Court's March 8, 2012, summary judgment opinion.



Under the MSA, each Fishery Management Council is required to develop FMPs “for each fishery under its authority that requires conservation and management.” 16 U.S.C. § 1852(h)(1). A “fishery” is defined as “one or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified on the basis of geographic, scientific, technical, recreational, and economic characteristics.” *Id.* § 1802(13).

Section 303(a)(2) of the MSA requires each FMP contain, among other things, a description of the species of fish involved in the fishery. *Id.* § 1853(a)(2). The National Standard 1 Guidelines provide further guidance that in setting forth this description, Councils should determine “which specific target stocks and/or non-target stocks to include in the fishery,” as well as whether it would be appropriate to designate any “ecosystem component species.” 50 C.F.R. § 600.310(d)(1). FMPs must include reference points (including, *inter alia*, status determination criteria, maximum sustainable yield, acceptable biological catch, and annual catch limits) and management measures (including accountability measures) for every stock “in the fishery.” *Id.* § 600.310(d)(2); see also § 600.310(b)(2) (describing reference points and management measures required by the MSA).

In considering which stocks “can be treated as a unit for purposes of conservation and management,” and therefore constitute a “fishery,” councils should remain mindful of National Standard 3’s requirement that, “[t]o the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.” 16 U.S.C. § 1851(a)(3). The National Standard 3 Guidelines further instruct that the choice of a management unit “depends on the focus of the FMP’s objectives, and may be organized around biological, geographic, economic, technical, social, or ecological perspectives.” 50 C.F.R. § 600.320(d)(1).

If a stock in a fishery is determined to be overfished or subject to overfishing, it must be included in an FMP. See 16 U.S.C. § 1853(a)(1)(A) (FMPs must provide measures to prevent overfishing and rebuild overfished stocks). For all other stocks, the National Standard 7 Guidelines provide that the following criteria should be considered in determining whether a fishery is in need of conservation and management through regulations implementing an FMP:

- (i) The importance of the fishery to the nation and the regional economy;
- (ii) The condition of the stock and whether an FMP can improve or maintain that condition;
- (iii) The extent to which the fishery could be or is already adequately managed by states, by state/federal programs, by federal regulations pursuant to FMPs or by industry self-regulation, consistent with MSA policies and standards;
- (iv) The need to resolve competing interests and conflicts among user groups and whether an FMP can further that resolution;
- (v) The economic condition of a fishery and whether an FMP can produce more efficient utilization;
- (vi) The needs of a developing fishery, and whether an FMP can foster orderly growth; and
- (vii) The costs associated with an FMP, balanced against the benefits. 50 C.F.R. § 600.340(b)(2).

At its June 2012 meeting, the MAFMC adopted a motion to consider designating river herring and shad as stocks in the fishery in Amendment 15 to the MSB FMP. MAFMC staff indicated that development of Amendment 15 is scheduled to begin in September 2012. MAFMC staff's current draft timeline projects that the MAFMC will take final action on this amendment in April 2014, NMFS will publish a proposed rule in July 2014 and a final rule in December 2014, and implementation of the amendment will occur in January 2015.

I encourage the NEFMC to collaborate with the MAFMC, as well as the ASMFC, on its consideration of the need for federal conservation and management of river herring and shad. River herring and shad have unique management challenges because they are anadromous and range along the entire east coast of the United States. The consideration of federal management for river herring and shad is an opportunity to engage management partners and stakeholders to thoughtfully evaluate holistic management of these species.

Consistent with the Court's remedial order, I recommend the NEFMC consider, as part of the 2013-2015 Atlantic herring specifications, a range of alternatives for the Atlantic herring ABC control rule and AMs. The final rule for Amendment 4 (76 FR 11373, March 2, 2011), explained that, if a new ABC control rule could be developed following the 2012 Atlantic herring benchmark stock assessment, it would be developed in the 2013-2015 Atlantic herring specifications. The Court's remedial order stated that at least one of the alternatives to the ABC control rule should be based on the best available science regarding ABC control rules for forage fish. The 2012 Atlantic herring stock assessment included a thorough consideration of the role of Atlantic herring as forage and increased the estimate of Atlantic herring natural mortality to account for consumption of Atlantic herring by predators. The NEFMC's Science and Statistical Committee (SSC) is scheduled to meet on September 4, 2012, to review the 2012 Atlantic herring benchmark stock assessment and develop Atlantic herring ABC recommendations for 2013-2015. I believe it would be appropriate, and consistent with the Court's remedial order, for the SSC to consider a range of alternatives for the Atlantic herring ABC control rule at its upcoming meeting, as previously planned, and for that range of alternatives to be analyzed in the 2013-2015 specifications.

Atlantic herring regulations authorize the modification of existing Atlantic herring AMs through the specification process (50 C.F.R. § 648.200(g)). Consistent with these regulations, and the Court's remedial order, I believe it would be appropriate for the 2013-2015 Atlantic herring specifications to consider a range of alternatives to modify existing Atlantic herring AMs. If during the specification process a new Atlantic herring AM is identified, implementation of that new AM could be considered in a future framework or amendment.

NMFS is also ordered to recommend to the NEFMC that it consider a range of alternatives for minimizing bycatch in the Atlantic herring fishery, to the extent practicable. Amendment 5 to the Atlantic Herring FMP considers a range of alternatives to minimize bycatch. Therefore, Amendment 5 should explain why the range of alternatives considered in Amendment 5 was reasonable and how measures adopted by the NEFMC as part of Amendment 5 minimize bycatch, to the extent practicable, in the Atlantic herring fishery.

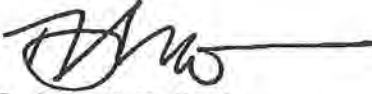
Additionally, NMFS is ordered to file with the Court a report describing all remedial actions by August 2, 2013. This report is to include the status of the NEFMC's consideration of designating river herring and shad as stocks in the Atlantic herring fishery and the completed NEPA analyses for the 2013-2015 herring specifications and Amendment 5. Lastly, the Court has retained jurisdiction over this case pending full compliance with its order.

For the purposes of complying with the Court's remedial order, an environmental assessment would be considered complete when the finding of no significant impact (FONSI) is signed by NMFS. Additionally, an environmental impact statement (EIS) would be considered complete when the notice of availability (NOA) for the final EIS is published in the *Federal Register*. Both of these actions typically occur prior to publishing the final rule in the *Federal Register*.

Council staff has indicated to us that Amendment 5, and its final EIS, will be submitted to NMFS for review and approval in the near future. Submitting Amendment 5 to us soon would provide NMFS with adequate time to consider amendment approval, complete a rulemaking, and allow for the NOA for the final EIS to be published prior to August 2013. The NEFMC is currently scheduled to take final action on the 2013-2015 Atlantic herring specifications at its November 2012 meeting. I recommend that the NEFMC proceed as scheduled, thereby providing adequate time to complete a NEPA analysis for the herring specifications by August 2013.

I appreciate the time and effort that the NEFMC has put into the Atlantic Herring FMP, and I look forward to working with the NEFMC to address these important issues in the Atlantic herring fishery. Please contact George Darcy if you have any questions.

Sincerely,


John K. Bullard
Regional Administrator

Enclosure (March 2012 opinion on summary judgment; August 2012 remedial order; letter to MAFMC regarding Amendment 14 to the MSB FMP)

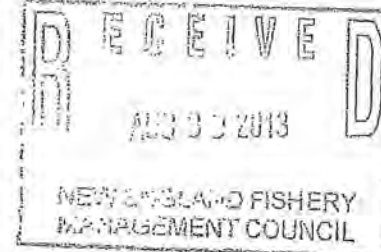
cc: Rick Robins



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

AUG 29 2013

Ernest F. Stockwell, III, Acting Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950



Dear Terry:

I am writing to follow up on my August 31, 2012, letter regarding the District Court's August 2, 2012, remedial order in *Flaherty v. Locke*, No. 11-660 (D.D.C.), a case challenging Amendment 4 to the Atlantic Herring Fishery Management Plan (FMP).

In that letter, I described the District Court's March 2012 opinion finding that the National Marine Fisheries Service (NMFS) had not complied with: Magnuson-Stevens Fishery Conservation and Management Act (MSA) provisions concerning stocks in the fishery and minimizing bycatch; and the National Environmental Policy Act (NEPA) requirement to consider a reasonable range of alternatives for Amendment 4's accountability measures (AMs), acceptable biological catch (ABC) control rule, and measures to minimize bycatch. I further described the remedial actions the District Court ordered NMFS to take.

NMFS has completed all but two of the actions ordered by the District Court. The two remaining actions are:

- (1) Filing with the District Court a report of all remedial actions taken, including a completed NEPA analysis for the 2013-15 herring specifications and management measures for the Atlantic herring fishery analyzing a range of alternatives to the current AMs and the ABC control rule for herring, including consideration of control rules for other forage fish; and
- (2) Filing with the District Court a supplemental explanation setting forth NMFS's consideration of whether the Atlantic Herring FMP minimizes bycatch to the extent practicable in compliance with the MSA.

On July 26, 2013, the District Court granted NMFS an extension until October 23, 2013, to complete these two remaining actions. NMFS expects the District Court to scrutinize the agency's compliance with the August 2, 2012, remedial order closely.

Additionally, during this lawsuit and development of Amendment 5, stakeholders have raised concerns that the Council can address. Although not required by the District Court's August 2, 2012, order, the Council can take steps to improve management of the herring fishery through: Development of an amendment to consider river herring and shad as stocks in the herring



cc: CBR, LS (9/16)

fishery; development of an amendment to further consider alternative ABC control rules for herring, including consideration of control rules for other forage fish; and completion of Framework 3 considering catch caps for river herring and shad. I strongly urge the Council to take the following actions as soon as possible:

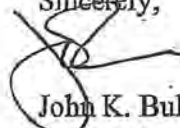
(1) Develop an amendment to consider river herring and shad as stocks in the herring fishery, consistent with the recommendation in my August 31, 2012, letter, and with the Council's 2013 priority list.

(2) Further consider alternative ABC control rules for herring, including control rules for other forage fish, based on the best available science. This is consistent with the recommendations of the Scientific and Statistical Committee and Herring Plan Development Team calling for comprehensive consideration of managing herring as a forage fish as part of the long-term management strategy for herring. I recommend that the Council begin considering this issue in an amendment prior to development of the 2016-18 herring specifications. This action could be combined with the amendment to consider river herring and shad as stocks in the herring fishery.

(3) Complete the Council's consideration of the river herring/shad catch cap action in Framework 3.

I appreciate the hard work that you and your staff have put into improving management of the herring fishery, and I look forward to continuing these efforts together. Please contact me if you have any questions.

Sincerely,



John K. Bullard
Regional Administrator

cc: Thomas A. Nies, Executive Director, New England Fishery Management Council



UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 NORTHEAST REGION
 55 Great Republic Drive
 Gloucester, MA 01930-2276

OCT 29 2013
 OCT 29, 2013



Timothy P. O'Brien, Ph.D.
 1514 Wickham Pond Drive
 Charlottesville, VA 22901

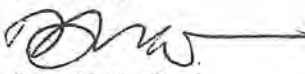
Dear Dr. O'Brien:

Thank you for your letter regarding protection of river herring and the recent Mid-Atlantic Fishery Management Council decision regarding management of these important species.

I believe that we have similar concerns and goals for river herring and shad. NOAA has invested millions of dollars in improving habitats in rivers up and down the coast, working with many partners who leverage our dollars and staff time. I have argued forcefully and voted for meaningful catch caps on the herring and mackerel fleets. We look forward to working with the Councils, the Atlantic States Marine Fisheries Commission, and organizations including and similar to yours, to evaluate river herring and shad resources, more completely understand the threats to those resources, and develop ways to minimize the impacts of those threats. We may differ on how to get there, but our actions and investments demonstrate that we are headed in the same direction. I do not consider this effort as "kicking the can down the road" but, rather, it is an effort to fully evaluate the threats to river herring and shad and determine the best way to minimize those threats without duplicating the efforts of the agencies, organizations, and individuals that are already involved and have management measures and restoration plans in place. Finally, I assure you that doing hard work to manage our fisheries and being part of difficult and very controversial decisions is our job, we welcome it, and these challenges do not cause me to vote in favor of the easy way out.

If you have any additional questions or concerns, please do not hesitate to contact us.

Sincerely,


 for John K. Bullard
 Regional Administrator

Cc: Dr. Christopher M. Moore, Executive Director, Mid Atlantic Fishery Management Council
 Thomas A. Nies, Executive Director, New England Fishery Management Council

cc: Council, Exec Dir, Cullges



TIMOTHY P. O'BRIEN, PH.D.
1514 WICKHAM POND DRIVE
CHARLOTTESVILLE, VIRGINIA 22901

October 10, 2013

Mr. John K. Bullard, Regional Administrator
NOAA/NMFS for Sustainable Fisheries
55 Great Republic Drive
Gloucester, MA 01930

Dear Mr. Bullard,

I write to you as a citizen and dedicated recreational angler. Further, I write to take you to task for one of your votes at the recent Mid-Atlantic Fisheries Management Council (MAFMC) meeting in Philadelphia. I am a sportsman who is committed to sustainable and healthy fisheries. From an entire ecosystem perspective, any fishery only remains sustainable when the species at all trophic levels are abundant and healthy. Unfortunately, many of our nation's fisheries are depleted and in some cases, nearing the tipping point.

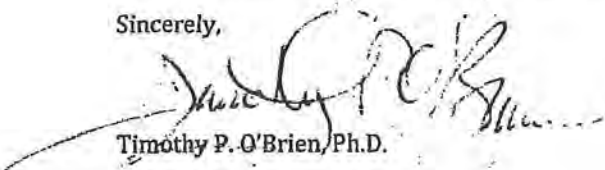
Every state government of the states that comprise the MAFMC have adopted regulations concerning River Herring and Shad (RH/S) because of the species' depleted condition. Over the past few months, a diverse group of stakeholders provided public comment (more than 37,000) and testimony at the meeting in favor of proceeding with a comprehensive analysis for full federal conservation and management in the Exclusive Economic Zone of the United States (EEZ). Quite frankly, the message could not have been presented more clearly.

In a 10-9 vote, in effect you cast the deciding vote that stopped any action calling for a Draft Environmental Impact Statement (D.E.I.S.) for Amendment 15 to incorporate RH/S into the mackerel, squid, butterfish plan. Instead, the MAFMC passed a motion that will attempt to create a working group and kick the federal management decision down the road at least three more years.

I find it troubling that as a Regional Administrator for the agency, which would be tasked with executing the D.E.I.S. that you would cast such a vote. While it may have been reasonable for you to offer the extensive comment you did against the motion (albeit deficient comment which did not in any way address NOAA's legal obligation to include these stocks in an FMP), I believe you should have recused yourself from the actual decision-making process. Ultimately, your vote could have been influenced because you just did not want to do the work or influence exerted upon you by commercial interests.

In the end, like so many other issues that involve the National Government, "the can has been kicked down the proverbial road" and nothing will be resolved. What a shame!

Sincerely,



Timothy P. O'Brien, Ph.D.

Cc: The Honorable Robert Hurt
U.S. Representative-Virginia 5th District

The Honorable Timothy M. Kaine
U.S. Senator-Virginia

The Honorable Mark Warner
U.S. Senator-Virginia

OCT 21 2013



UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 NORTHEAST REGION
 55 Great Republic Drive
 Gloucester, MA 01930-2276

OCT 29 2013



EkOngKar Singh Khalsa, Executive Director
 Mystic River Watershed Association
 20 Academy Street, Suite 306
 Arlington, MA 02476-6401

Dear Mr. Khalsa:

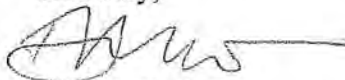
Thank you for your letter regarding protection of river herring. I commend you, your organization, and its supporters for the work that you have done to protect and improve this important waterway and the resources it sustains.

I appreciate your interest in our and the New England Fishery Management Council's work to manage the herring fishery and minimize catch of river herring in that fishery. The Mid-Atlantic Fishery Management Council is doing similar work on its Mackerel, Squid, and Butterfish Fishery Management Plan. We disapproved the observer coverage and slippage cap measures in Amendment 5 to the Atlantic Herring Fishery Management Plan because they were not legal. However, we have offered both the New England and Mid-Atlantic Fishery Management Councils a way to expand observer coverage with industry covering the at-sea portion of the cost in a way that complies with legal and budget realities. We retained the prohibition on net slippage as part of Amendment 5, but we have also advised the New England Fishery Management Council that we can help devise a way to deter such events with measures that accommodate safety concerns and more fairly address slippage events. We agree that these measures are important, and we are eager to help the New England Fishery Management Council find workable and legally sufficient solutions for the near future.

Finally, we share your concerns for river herring. I have argued forcefully and voted for meaningful catch caps on the herring and mackerel fleets. NOAA has invested millions of dollars in improving habitats in rivers up and down the coast, working with many partners who leverage our dollars and staff time. We look forward to working with the Councils, the Atlantic States Marine Fisheries Commission, and organizations including and similar to yours, to evaluate river herring and shad resources, more completely understand the threats to those resources, and develop ways to minimize the impacts of those threats. So we share the goals that your organization is working toward. We may differ on how to get there, but our actions and investments demonstrate that we are headed in the same direction.

If you have any additional questions or concerns, please do not hesitate to contact us.

Sincerely,


 for John K. Bullard
 Regional Administrator

Cc: Thomas A. Nies, Executive Director, New England Fishery Management Council
 Dr. Christopher M. Moore, Executive Director, Mid Atlantic Fishery Management Council



cc: Council, ES (1/1), Exec Cte



Mystic River Watershed Association
your community · your watershed

SFD-35
due 10/8

September 23, 2013

John K. Bullard, Regional Administrator
National Marine Fisheries Service – NOAA
55 Great Republic Drive
Gloucester, MA 01930

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

Dear Mr. Bullard and Mr. Nies:

The Mystic River Watershed Association (MyRWA) is a grassroots organization dedicated to the protection and restoration of the Mystic River, its tributaries and related natural resources throughout the watershed's 22 communities. Declining river herring populations in our watershed and throughout our region have been well documented. Several factors have been cited: dams, pollution and fishing by midwater trawling methods and vessels where river herring are caught in very high numbers as bycatch.

Regarding the first two factors, within our Mystic River Watershed, improvements have and are being made. The rebuilding of the dam that separates our Upper and Lower Mystic Lakes enabled the construction of a fish ladder. For the first time in over a century, river herring now have renewed access to former upstream spawning grounds. Also, during the last two years our organization has been conducting river herring habitat assessments seeking to expand suitable tributaries for this species to spawn. Additionally, the Massachusetts Water Resources Authority (MWRA) working with the City of Cambridge as well as other governmental and private organizations this year completed the construction of a wetland in Cambridge for the treating of stormwater runoff. This wetland will reduce the discharge of pollutants into Alewife Brook, an important herring spawning area.

In addition to this work, the Mystic River Watershed has been carefully following the New England Fishery Management Council's efforts to improve catch monitoring and address bycatch in the Atlantic herring fishery, including the development of protective measures for river herring at sea. We have attended meetings of the Council, its Herring Oversight Committee and advisory panels, and we also provided testimony at several public hearings. We were pleased that the Council developed and approved a strong set of monitoring and bycatch reduction reforms that struck a balance between the protection for river herring and a sustainable viable fishing fleet.

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The Mystic River Watershed is extremely disappointed by NOAA fisheries' rejection of 100% observer coverage for midwater trawlers, the slippage caps, and the requirement to accurately weigh all landed catch. While attending the Gloucester Public Hearing for Atlantic Herring on May 31, 2012, we personally heard strong support for 100% observer coverage from representatives of the midwater trawl industry. As 100% observer coverage is needed for maintaining an effective catch cap it is very reasonable to require the fishing vessels to pay or find a solution to sharing costs. This would be similar to how the costs for observers are covered in the west coast groundfish fishery.

Equally concerning is the disapproval of the slippage cap/trip termination measures developed to deter dumping of unmonitored catch and the requirements for dealers to accurately weigh all catch. Without these measures, your ability to effectively monitor and reduce bycatch of river herring is greatly diminished.

The Mystic River Watershed has been doing its part to support a healthy river herring population. We are now asking that NMFS and the Council work together and fix these measures ASAP so what can be put into place is an effective policy to protect our river herring at sea. Additionally, we urge you to continue to develop and implement a cap that effectively **reduces** the amount of river herring that can be caught at sea.

Sincerely,



EkOngKar Singh Khalsa, Executive Director

cc. Terry Stockwell
Doug Grout



River Herring Fish Ladder & Channel for Returning Juveniles,
Upper Mystic Lake Dam
Family Watching River Herring



RED CRAB PRIORITIES

Email received September 3, 2013

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

From: Jon Williams [<mailto:jwilliams@atlanticredcrab.com>]

Sent: Tuesday, September 03, 2013 3:19 PM

To: Tom Nies

Subject: deep sea red crab



Dear Mr. Nies,

With the upcoming Executive Committee meeting this fall, I would like to request that the red crab fishery be put on the priorities list for 2014 in order to potentially set an ABC for female red crab. A brief look at the history of the fishery reveals that the prohibition of females does not have significant biological merit regarding the red crab stock. In fact, it was not biologists who imposed the male-only approach-rather; it was the industry itself that requested the council to only allow a male ABC. With a new demand in the marketplace for female red crab, we now urge the council to reassess the ABC of female red crabs which currently is set at zero.

The origins of the female probation emerged during the implementation of the FMP in 2001. During this time, there were two groups that stood deeply divided regarding the future of the fishery. On the one hand, a number of historic participants followed the recommendation of the 1973 stock assessment and supported a 5.8 million lb. TAC. On the other hand, a second group argued that the '73 assessment was flawed and that resource could support a TAC in excess of 20 million lbs. As we could not predict the decision of the council, we lobbied for a prohibition on females as a safeguard in the event the council recommended the higher TAC.

In the end, however, the council both adopted the 5.8 million lb. TAC and banned the retention of female crabs. While this imposed a significant limitation to the fishery, it was not a pressing issue at the time as there was no significant market for female crabs.

Yet much has changed since the implementation of the male-only ABC. A second stock assessment conducted by Dr. Rick Wahle in 2003 found that the female biomass was 260% greater than that of males and in recent years we have had more and more opportunities to sell female crab into the Asian market.

In 2009, in response to red crab being placed on the data poor list, the council voted to set the ABC of male red crab at 3.95 million. While poor market conditions beginning in 2007 resulted in landings less than the ABC, this still was a significant setback to the fishery's future potential.

With such promising current conditions and a red crab stock that is more stable than ever, it is apparent that now is the time to reassess the prohibition on female crabs. The ban on females was only ever put in place due to unstable times within the fishery and a lack of demand in the marketplace. In addition, I would like to emphasize the ease at which this change could take place. With the implementation of Amendment 3 in September of 2011, the current language in the red crab FMP holds an ABC of females at zero rather than "retention prohibited." This should allow the council and the SSC to change the ABC to a number greater than zero without a great deal of work.

Thank you for your consideration and feel free to contact me with any questions, I look forward to hearing back from you.

Best regards,

Jon Williams

additional scallop landings accruing to these vessels as a result of the SDE of 3.9 to 5.1 million lbs in 2010.

About 2.9 million lbs of these additional landings for the SDE vessels come from Access Area trips. Under a fixed total landing amount from Access Area fishing, and without the SDE upgrades, these 2.9 million lbs would in principle be allocated to the full-time fleet. Table 4 estimates the effective "transfer" of Access Area allocation from the full time (mainly two-dredge) fleet to the SDE fleet as a result of SDE upgrades. This assumes total landings from Access Area trips fixed at 23.7 million lbs, and part-time vessels receiving 40% and occasional vessels receiving 8.33% of the Access Area allocation given to a full-time permit.

	FT	FT SDE	PT 2D	PT SDE	Occ 2D
With SDE upgrades					
Permits	261*	54		35	
Access Area trips/permit	4	4		2	
Allocation per permit (lbs)	72,000	72,000		14,400	
Trip limit (lbs)	18,000	18,000		14,400	
Fleet landings/year (lbs)	18,792,000	3,888,000		1,008,000	
Without SDE upgrades					
Permits	261*		54		35
Access Area trips/permit	4		2		1
Allocation per permit (lbs)	82,966		33,186		6,911
Trip limit (lbs)	20,741		16,593		6,911
Fleet landings/year (lbs)	21,654,054		1,792,060		241,887
Gain (loss) from SDE					
Fleet (lbs/year)	(2,862,054)	2,095,940		766,113	
Per vessel (lbs/year)	(10,966)	38,814		21,889	

*NOTE: FT fleet includes 250 full-time two-dredge vessels and 11 net boats.

Table 4: Estimated effective transfer of Access Area allocation from full-time (FT) fleet to part-time (PT) and occasional (Occ) vessels that upgrade under the SDE. This assumes a constant annual total landing from Access Area trips of 23,688,000 lbs, and that part-time vessels receive 40% and occasional vessels 8.33%, respectively, of the full-time vessel Access Area allocation.

Summary: If total annual landings from Open and Access Area trips are held constant, based on data from 2008 and 2009, the estimated effective transfer of allocation from full-time permits to part-time and occasional boats operating under SDE is between 14,900 and 19,500 lbs/year for each full-time permit. Under the assumptions described in Table 4, about 11,000 lbs/year of this transfer (50 to 75% of the total) comes from Access Area landings.

OTHER PRIORITIES



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

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

SEP 20 2013

Dr. Christopher M. Moore, Executive Director
Mid-Atlantic Fishery Management Council
800 North State Street
Dover, DE 19901



Dear Tom and Chris:

Since our July 30, 2013, letter to Tom, the agency working group on observer funding has been working to resolve the legal issues related to proposed observer cost sharing measures. We concluded that these issues required further discussion among NMFS, NOAA General Counsel, and Department of Commerce staff and that our lack of internal resolution of these issues prevented the joint observer funding plan development team and fishery management action team (Joint PDT/FMAT) from advancing their efforts. We now have a plan as to how to incorporate industry-funded observer coverage into fishery management plans (FMPs), which we will present at your upcoming September and October meetings; the plan is summarized below. Our plan would not specify fishery-by-fishery provisions for industry coverage programs, but would allow the Councils to use industry funding to increase observer coverage levels in their fisheries.

There are two components to the costs of observer coverage, and funding must be available for both components in order to achieve desired observer coverage levels. These components are:

- 1) Observer monitoring costs, which include the costs that would be incurred by an observer service provider, such as observer salary and travel; and
- 2) NMFS support and infrastructure costs, which include observer training, data processing, and infrastructure.

Under existing law, NMFS and industry cannot share responsibility for observer monitoring costs in the regulations. For example, we cannot cap the industry contribution and require NMFS to be responsible for the remainder of observer monitoring costs, such as the \$325 per day cap on industry contribution that was proposed in the recent Atlantic herring and Atlantic mackerel amendments. Also, any increases to observer coverage, even when industry is paying the full costs for the observers, will result in NMFS incurring additional support and infrastructure costs. Because NMFS's appropriations to cover support and infrastructure costs are limited and variable, the Councils cannot mandate specific levels of observer coverage that could impose financial obligations beyond what is appropriated.

The only way to increase observer coverage levels above levels set to cover legal mandates or the standardized bycatch reporting methodology (SBRM) is for industry to be responsible for 100 percent of observer monitoring costs, and for the Council to recommend coverage targets



cc: Council (9/23), PMF

rather than mandating specific coverage levels. We believe the best way to provide the Councils the tools to use industry funding of increased observer coverage is through an omnibus amendment for all New England and Mid-Atlantic fishery management plans (FMPs). As we have done with SBRM, we have asked our staffs to take the technical lead on developing this amendment if the Councils choose to proceed. The omnibus amendment would:

- 1) Define both NMFS and industry cost responsibilities for observer coverage consistent with the allocations noted above;
- 2) Create industry-funding requirements, similar to those currently in place in the Northeast multispecies and the Atlantic sea scallop FMPs, that can be referenced by any FMP that needs to implement industry funding requirements; and
- 3) Establish an annual process in which NMFS and both Councils would prioritize observer coverage levels above SBRM that will inform NMFS's decisions on the allocation of available NMFS support and infrastructure funds to achieve regional coverage goals, consistent with considering efficiency in the utilization of resources and minimizing costs as required by National Standards 5 and 7.

We intend to keep this action focused exclusively on the observer issue to avoid lengthy development that could result from the addition of other issues and management measures. Council input and meetings remain critical to ensure the public is involved, so we recommend leaving the Joint PDT/FMAT intact, with expanded membership to include experts from other FMPs.

We acknowledge that the observer monitoring costs can be a significant burden for industry. That is why we have identified a potential mechanism that may enable NMFS, when funding is available, to help offset some of industry's costs. This model was used to fund NE multispecies Sector dockside monitoring coverage in 2010 and 2011.

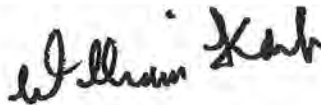
In order for these concepts to work, we need support from both Councils. This proposed approach would require both Councils to be willing to work together to prioritize regional monitoring goals. The Councils must remember that available funds limit the amount of observer coverage for all of our fisheries, regardless of the source of funding. The Councils must not prescribe specific observer coverage levels or specific industry contribution levels in future Council actions.

There are many details of this plan that still need to be resolved, but if both Councils agree with this approach, our staff will begin to develop alternatives for the omnibus amendment. Our goal is to present both Councils with an initial range of alternatives at their January and February 2014 meetings.

Sincerely,



John K. Bullard
Regional Administrator



William A. Karp, Ph.D.
Science and Research Director