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Deirdre Boelke, Scallop Fishery FMP
 New England Fishery Management Council
 50 Water Street, Mill 2
 Newburyport, MA 01950

March 6, 2009

Dear Members of the Scallop Plan Development Team,

I am writing to you regarding an issue critical to the functionality and success of the Limited Access General Category (LAGC) Scallop IFQ system. Currently, LAGC scallop quota is permanently bundled with all other permits on a vessel. Therefore, in order to obtain additional scallop quota needed to support a viable business, a fisherman is forced to purchase expensive access to a number of other fisheries. This limitation, which exists in no other ITQ systems in the country, prevents the fishery from gaining the benefits of quota management.

Some have suggested that this problem is eliminated through leasing provisions; however, leasing is *not* a workable, long-term solution. Forcing independent, small fishermen to lease rather than own the necessary quota to make their operations viable will prevent them from creating successful business plans and will permanently alter the ownership composition in this fishery.

The solution is to remove the unnecessary and counter-productive restriction on the transfer of quota among existing permit holders without creating the potential for unintended fishery consolidation.

To achieve this, we support revised language in Amendment 15 that:

- Allows for the permanent transfer of a vessel's *entire* quota allocation separate from the LAGC Scallop IFQ permit or any other permit on the vessel.
- Allows the original owner to either maintain the IFQ permit with zero pounds of quota on their vessel or permanently relinquish the permit to NMFS.
- Maintains existing ownership caps and measures to prevent unintended fishery consolidation.

In this way, the LAGC Scallop IFQ system can be improved to function as it must, while preserving traditional small fishing businesses in the General Category. We appreciate your careful attention to these crucial matters.

Sincerely,

Sue Nickerson
 Executive Director

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