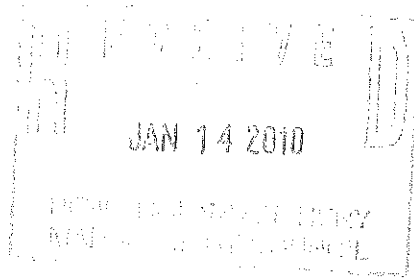


#4

SCALLOP FRAMEWORK
21 COMMENTS
RECEIVED SINCE THE
NOVEMBER, 2009
COUNCIL MEETING



James J. Quigley
Peninsula Libertarian Party Chair
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(757) 746-9514
11 January 2010

John W. Pappalardo
Chairman
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, Massachusetts 01950
Tel (978) 465-0492

Chairman Pappalardo,

I am very concerned over the New England Fishery Management Council's (NEFMC) recent decision to reduce the harvesting days for the Atlantic Sea Scallop Fishery in 2010. My concerns are primarily focused on the economic impact this will have on our fishermen during this economic downturn. Further, a reduction of food in the market place will cause an increase in prices, negatively impacting the citizens of Virginia's 3rd District.

I understand that the Council is focusing on the possibility of overharvesting scallops. However, one of the intents of the very important Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 was to ensure that decisions made are data-driven and that the concerns of States and local communities are addressed. Both the Plans Development Team (PDT) and the Scientific and Statistical Committee (SSC) suggested higher acceptable mortality levels than the NEFMC, but the data they used was not incorporated into the Council's final decision. The decision to not include the data from the PDT and SSC is in direct conflict with the intent of the Magnuson-Stevens Act, and I am requesting that the NEFMC readdress their finding and incorporate this information during their next Council meeting. The following justification for doing so can be useful to you:

Passage MSA SEC 302 104-297 (4) [P. 67]

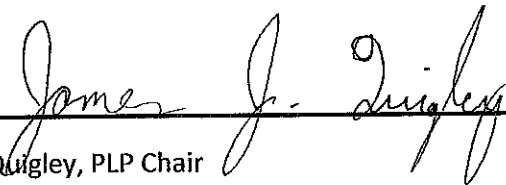
(4) The Secretary shall establish advisory panels to assist in the collection and evaluation of information relevant to the development of any fishery management plan or plan amendment for a fishery to which subsection (a)(3) applies. Each advisory panel shall participate in all aspects of the development of the plan or amendment; be balanced in its representation of commercial, recreational, and other interests; and consist of not less than 7 individuals who are knowledgeable about the fishery for which the plan or amendment is developed, selected from among—

(A) members of advisory committees and species working groups appointed under Acts implementing relevant international fishery agreements pertaining to highly migratory species; and

(B) other interested persons.

I plan to be running for Congress in Virginia's 3rd District against the incumbent, and I can promise that if this issue is not re-examined to the satisfaction of the 3rd District's fishermen I will make sure it becomes a campaign issue.

Sincerely,

 11 January 2010

James Quigley, PLP Chair

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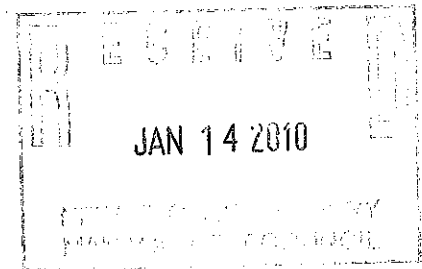
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January 14, 2010

VIA ELECTRONIC MAIL

Mr. John Pappalardo, Chairman
New England Fishery Management Council
60 Water Street Mill, No. 2
Newburyport, MA 01950



Re: Reconsideration of Framework 21 Decision

Dear Chairman Pappalardo:

On behalf of the Fisheries Survival Fund ("FSF"), we would like to express our sincere appreciation for your decision to place reconsideration of the target scallop fishing mortality rate back on the agenda for the New England Fishery Management Council's January 27, 2010, meeting. The Council, at its November 2009 meeting, made many important decisions. FSF and the scallop industry at-large supported the overwhelming majority of these decisions. However, FSF strongly opposes the Council's controversial choice of using 0.20 as the target fishing mortality rate ("F") for the purpose of setting open area days-at-sea ("DAS") for 2010. For the reasons given below, FSF respectfully requests that this decision be reconsidered, and the 2010 scallop fishery specifications for 2010 be based on an F of 0.24.

As an initial matter, FSF recognizes the Council was faced with an extremely full and complex agenda in November, with demanding decisions for many fisheries. FSF appreciates the work by Council staff, the Scallop Plan Development Team ("PDT"), the Scientific and Statistical Committee ("SSC"), and the Scallop Oversight Committee to support the Council's decision-making regarding the Great South Channel, turtles, and yellowtail flounder. With all that was on the agenda for scallops, what is normally the principal decision in a framework – setting annual specifications (particularly the annual target landings level and measures designed to achieve it) – does not appear to have been considered as thoroughly as it otherwise would have been.

The lack of a Scallop Committee recommendation on this matter further complicated matters. For instance, as Massachusetts Division of Marine Fisheries Director Paul J. Diodati noted in his letter to National Marine Fisheries Service ("NMFS") Regional Administrator Patricia Kurkul (attached), certain findings and recommendations of the SSC with respect to the target landings

Mr. John Pappalardo, Chairman
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Page Two

level were never brought forward or discussed at the November meeting. As well, at least in part, the decision to base 2010 DAS on an F of 0.20 was, in our opinion, overly influenced by consideration of net economic benefits calculated over an inappropriately long six-year period. While this was not the sole basis for the decision, FSF strongly believes that reconsideration is appropriate so that the reasons behind the SSC's recommendation can be more fully explored, and so these net benefits analysis can be placed in a more complete context.

As we will show, 2010 scallop specifications based on a target F of 0.24, resulting in 38 open area DAS, is both precautionary and provides more economic benefits in the critical near term. As this option was analyzed in the Framework 21 document, adopting this approach should not materially slow down the framework approval process.

The bases for reconsideration are as follows:

1. The buffer between Acceptable Biological Catch ("ABC") and the target landings level is overly precautionary. As Council staff noted in the unusual January 5, 2010, press release regarding Framework 21, the SSC recommended an ABC of 65.2 million pounds based on a target F of 0.29.¹ However, the Overfishing Level ("OFL") is 80 million pounds, based on the current estimate of F_{MAX} , which is the Amendment 10 threshold of overfishing. By contrast, projected landings under the chosen F of 0.20 are only 41 million pounds, *just over half of the OFL*. We are attaching a figure that compares the critical values; specifically, estimated scallop landings levels and associated probabilities of overfishing associated with OFL, ABC, $F=0.24$, and $F=0.20$.

2. The scallop fishery was not subject to overfishing in 2009. While it is true that the target F of 0.20 for 2008-2009 was exceeded— F is preliminarily estimated as 0.28 in 2008 and 0.30 in 2009—Amendment 10 establishes F_{MAX} as the OFL. Framework 19 reemphasized this point, stating "overfishing occurs when fishing mortality exceeds F_{MAX} , *currently estimated at 0.29*." (FW 19 § 2.6.2, at 60; bold emphasis in original). When Framework 19 was adopted, 0.29 was the best estimate of F_{MAX} . However, the PDT recently incorporated new information and determined that F_{MAX} currently equals 0.37.² Thus, according to the best scientific information

¹ See Final Framework 21 to the Atlantic Sea Scallop FMP at iv-v (Dec. 17, 2009), available at http://www.nefmc.org/scallops/frame/fw%2021/FW21_091221.pdf.

² D. Hart, *Quantifying the Tradeoff Between Precaution and Yield in the U.S. Sea Scallop Fishery* (July 31, 2009), available at http://www.nefmc.org/tech/council_mtg_docs/Sept%202009/Scallops/Doc%204_SC_SSC%20discussion.pdf; see also Final Framework 21 at 20 ("Based on the results of the last stock assessment workshop, biological reference points have been set for the entire US sea scallop stock. The threshold fishing mortality rate for fully-recruited scallops that generates the maximum yield-per-recruit, *Fmax, was estimated at 0.37*." (continued. . .))

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Page Three

available, current F does not exceed the OFL defined in Amendment 10, although the F may have breached the outdated threshold set forth in Framework 19.

Based on correspondence from NMFS, it appears that there is some dispute over whether the proper overfishing definition is F_{MAX} or the older estimate of F_{MAX} employed in Framework 19 (*i.e.*, 0.29). As the relevant section of that framework quoted above shows, however, that action did not presume to change the overfishing definition, but merely plugged-in the then-current estimate for F_{MAX} based on what had been the best scientific information available. The Council, however, has an ongoing duty to utilize the best scientific information available, and the most current F_{MAX} estimate is 0.37. Indeed, this was the estimate employed by the PDT and SSC in developing the ABC recommendation. There can be no serious question at this point that the OFL is 0.37, corresponding with an harvest of 80 million pounds of scallops.

3. The under-estimation of open area catch rates that led to F_{target} being exceeded in 2008 and 2009 has been corrected. As a result of improved estimates in daily open area catch rates, there is a much improved probability that the fishery will meet the target F . This reduces the need for setting the target F at a super-precautionary level. As the Final Framework 21 document notes:

Since FW19 the PDT has improved the assumptions and models used to set $F_{targets}$ primarily based on adjustments made to how fishing mortality is estimated from open area DAS. Modifications have been made based on work the PDT did for developing alternatives in Amendment 15 to comply with new annual catch limit (ACL) requirements. To take this into account, the FW21 analysis included an adjustment to the model for calculating DAS to more accurately reflect the landings per-unit-effort (LPUE) value. Therefore, it is likely that projected targets used in FW21 will be closer to realized landings and fishing mortality compared to projections used in previous frameworks.

Final Framework 21 at vi. Assumptions about the number of permits in active use have likewise been updated to reflect increases in participation. In a public presentation to the Scallop Committee, the NMFS scientist who prepared the projections for both 2009 and 2010 highlighted the low probability that such an over-run would occur again, analogizing the chances as akin to 50-to-1 long-shot Mine That Bird winning the Kentucky Derby.

(emphasis added). This estimate was accepted by the SSC when it recommended an ABC based on 25 percent of F_{MAX} , or 0.29.

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Page Four

4. The SSC's ABC of 65 million pounds conforms with the National Standard 1 Guidelines' advice for precautionary management; a target F of 0.24 for 2010 presents a virtually nonexistent chance of overfishing. The ABC of 65 million pounds, corresponding with an F of 0.29, represents a twenty-five percent probability of exceeding the OFL,³ in line with National Standard 1 guidelines. See 50 C.F.R. § 600.310(f)(4) ("This probability that overfishing will occur [under an ABC control rule] cannot exceed 50 percent and should be a lower value."). The probabilities of exceeding OFL associated with Fs of 0.24 and 0.20, accounting for implementation uncertainty, are 13.1 percent and 6.1 percent, respectively.⁴ Keeping in mind that the legal standard is fifty percent, the F=0.20 strategy is far, far more conservative than necessary, particularly given the dramatic economic implications it has for fishing year 2010.

The F=0.24 strategy is estimated to result in a catch of approximately 47 million pounds, compared to an ABC of 65 million pounds, and an OFL of 80 million pounds. Even assuming that discards and incidental catch mortality in 2010 approach the 7.4 million pound level assumed in Framework 21 (at page 20), the resulting 54 million pounds or so of scallop mortality is still significantly below the 65 million pound ABC. The additional precaution that results from using an F of 0.20 simply forgoes sustainable yield for a very minor seven percent increase in certainty that the OFL will not be breached.

5. The virtually imperceptible economic advantages of the F=0.20 approach are highly uncertain and do not outweigh short-term economic impacts. Under the selected alternative, the scallop industry is asked to forgo nearly six million pounds of sustainable scallop harvest in 2010 on the speculative promise of an additional five million pounds over seven years. Final Scallop Framework 21 at 239 (Table 80). This results in less than a one percent difference in net present value of the two options over the 2010 to 2016 timeframe – 0.68 percent, to be exact.⁵ Obtaining even these small benefits is based on a presumption of actions the Council may or may not make over the course of three specification-setting processes.

³ See Final Framework 21 at 20 ("This recommendation is based on analyses prepared by the Scallop PDT that would set ABC at the fishing mortality rate estimated to have 25% chance of exceeding OFL.")

⁴ See Hart, *supra* n.1, at 13 (Table 5).

⁵ See "Economic Impacts" at 7 (Table 6), Item 1A Council Scallop Materials for the November 2009 Meeting, available at http://www.nefmc.org/scallops/council_mtg_docs/Nov%202009/1a%20%20Framework%2021%20Econ%20_3_.pdf. Similar tables are reproduced in Final Framework 21, at 263-64 (Tables 112 & 113), which show 0.0 percent benefits between the F=0.20 and F=0.24 options over the 2010-2023 period, but this is an artifact of rounding.

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At best, this small benefit over a six-year period is highly speculative, and may be entirely illusory. As the attached critique of the economic impacts analysis by Georgetown Economic Services notes, "Because the uncertainty associated with these projections grows exponentially over time, the comparison of the economic benefits of the allocation alternatives given in FW21 should be made over a shorter period." See attached report, at 1. As it stands, the only discounting made in these projections relate to the net present value of benefits. If management uncertainty were included in the model, there would be (and arguably there are no) meaningful differences between the two alternatives over the mid- and long-term timeframes.

For 2010, however, the differences are very real and quite stark. The F=0.24 alternative provides a minimum of \$40 million more in ex-vessel revenues in 2010 over the selected option, translating in hundreds of millions of dollars in economic activity in struggling fishing communities this year. Dr. Daniel Georgianna, Chancellor Professor of Economics at University of Massachusetts' School of Marine Science and Technology, estimates the F=0.20 strategy to result in a loss of \$119,000 per vessel compared to F=0.24, and job losses of over 500.⁶ For its part, the General Category fleet will suffer a reduction of 300,000 pounds, creating hardship and difficulties particularly as the sector transitions to individual quota share management in 2010.

Given that the country is still in the midst of – or only starting to climb out of – a deep recession, the certain economic benefits of the 0.24 options are far superior to the statistically insignificant longer term differences.

6. The differences in projected yellowtail flounder bycatch cannot justify the F=0.20 strategy. According to the Council decision documents presented on November 18, 2009, in connection with Groundfish Framework 44, the scallop fishery's yellowtail flounder "needs" for 2010, expressed as a percentage of the 2010 total yellowtail flounder TAC,⁷ are as follows, under the various fishery allocation scenarios:

Georges Bank yellowtail flounder

No GSC closure – F = 0.20	11.4%
No GSC closure – F = 0.24	15.2%
GSC Closure – F = 0.18	18.9%
GSC Closure – F = 0.20	22.4%

⁶ D. Georgianna, "Short Term Economic Impacts of Scallop Framework 21 at 5 (Jan. 7, 2010).

⁷ In all scenarios, the scallop fishery's "need" for Cape Cod yellowtail is under the 5% threshold applied for setting a sub-ACL.

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Southern New England/Mid-Atlantic yellowtail flounder

No GSC closure – F = 0.20	22.5%
No GSC closure – F = 0.24	27.3%
GSC Closure – F = 0.18	36.3%
GSC Closure – F = 0.20	40.9% ⁸

The following can be determined from this information:

- The Council elected to take the principal “savings” of yellowtail available when it elected, by a wide margin, not to close the Great South Channel (“GSC”). (Yellowtail use only increased without the closure for the Cape Cod stock, which follows, as the Great South Channel is in the Cape Cod yellowtail stock area.) The same is true for reductions in area swept and the presumed lessened impacts on habitat resulting from these area-swept reductions.
- The Council’s choice of “No GSC Closure – F=0.20” resulted in the lowest possible use of yellowtail flounder.
- The differences in percentage yellowtail use between F=0.20 and F=0.24 are discernible, but they are modest: For Georges Bank yellowtail, the increase is estimated at 3.8 percent, and for Southern New England/Mid-Atlantic yellowtail, the increase would be 4.8 percent. These figures may not be much different from the margin for error.
- The scallop fishery’s use of Georges Bank yellowtail flounder is relatively modest under either scenario: At F=0.20, the yellowtail use (11.4 percent) is functionally indistinguishable from what would have been allocated for the access area trip to Closed Area II in 2009 (10 percent).⁹ It would thus be only a modest increase (to 15.2 percent) to fund all scallop fishing in 2010 in the Georges Bank yellowtail stock area.

⁸ Drawn from Table 1, at page 4, in the September 17, 2009, Memo from the Groundfish and Scallop PDTs to the Groundfish and Scallop Oversight Committees.

⁹ The Council gained considerable “savings” by refusing to consider a Closed Area II trip in 2010, and, in fact, the potential for yellowtail bycatch was the stated principal reason a fifth access area trip was not considered by the PDT. It is worth noting, however, that keeping access areas closed can actually contribute to yellowtail bycatch, as more bottom time is generally needed for the same landings level in areas that have had scallop grow-out, even with scallops being abundant in large sections of the open areas.

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Mr. John Pappalardo, Chairman
January 14, 2010
Page Seven

- Yellowtail usage is relatively higher for the Southern New England/Mid-Atlantic stock irrespective of the option chosen. The difference in projected yellowtail usage is 111 mt vs. 135 mt, or a difference of 24 mt. Table 1, Sept. 17, 2007, Memo. The real savings of Southern New England yellowtail, in absolute terms, is derived from not closing the Great South Channel.

Minimizing bycatch is, of course, an important Magnuson-Stevens Act objective. This duty, however, is bounded by limitation that bycatch minimized only "to the extent practicable." *See, e.g.*, 16 U.S.C. § 1851(a)(9). More importantly, the primary objective of fishery management is to achieve optimum yield. *Id.* § (a)(1).

The modest increase in yellowtail use resulting from the $F=0.24$ strategy is, respectfully, not commensurate with foregoing six million pounds in sustainable scallop yield for 2010. When it is considered that these yellowtail use levels are below the scallop fishery's historic catch, combined with the other "savings" mentioned above, the trade-offs become more stark.

That is not to say that the scallop industry is insensitive to the importance of minimizing yellowtail flounder bycatch. FSF has dedicated significant time, effort, and resources to investigating gear solutions to minimize bycatch. In cooperation with gear technologist Ron Smolowitz, FSF participants have worked to develop a new dredge that shows promise in both reducing flatfish retention and improving scallop harvest rates, while also minimizing harm to sea turtles. Many scallopers have adopted this new dredge design. Moreover, the industry has looked into other gear solutions to minimize finfish bycatch, such as advocating for 10-inch mesh twine tops and testing optimal hanging ratios and mesh configurations. FSF is committed to reducing its incidental take of groundfish, and will continue to do so.

That said, the reductions called for by Framework 21 – a loss of one access area trip and nine open area DAS compared to 2009 – is a hardship to the industry and the communities and businesses relying on the scallop fishery that ultimately cannot meet the "practicability" test.

####

In conclusion, FSF strongly urges the Council to revisit the decision to use the $F=0.20$ approach, and instead set the open area DAS at 38, based on an F of 0.24. We are joined in this request by well over 1,000 scallop fishermen and representatives of businesses that rely on this key fishery, as well as seventeen Members of Congress, the Governor of Massachusetts, and the Mayor of New Bedford, among others. This unprecedented breadth of support underscores the urgency of this matter.

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Mr. John Pappalardo, Chairman
January 14, 2010
Page Eight

If you have any questions about any of these points, please do not hesitate to contact us. We will also be available at the upcoming Council meeting to discuss these matters in more depth. Thank you for your kind attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Frulla', with a long horizontal line extending to the right.

David E. Frulla
Shaun M. Gehan
Andrew E. Minkiewicz

Counsel for Fisheries Survival Fund

ENCLOSURES

cc: Members of the New England Fishery Management Council
Captain Paul Howard, Executive Director
Ms. Patricia Kurkul, NMFS Northeast Regional Director

Attachment 1



Paul J. Dlodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries

251 Causeway Street • Suite 400
Boston, MA 02114

(617) 626-1520

fax (617) 626-1509



December 2, 2009

Ms. Patricia Kurkul
Regional Administrator, Northeast Region
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930-2276

Dear Ms. Kurkul: 

By now you are well aware of the furor created by the New England Fishery Management Council's recent decision to allocate far fewer days to the limited access sea scallop fishery for the next fishing year. Through Framework Adjustment 21 to the Atlantic Scallop Fishery Management Plan we now intend to reduce days-at-sea from 37 to 29 – a 22% decrease. After reflecting on Council discussions regarding the decrease in Days-At-Sea (DAS) and reviewing documents not discussed at the Council meeting, I conclude that important scientific advice was forgotten. I request you consider that advice during your review of Framework 21 in preparation for its implementation next year.

In July Council correspondence with the Science & Statistical Committee (SSC), Paul Howard indicated: "*Full implementation of ACLs is not required in the Scallop FMP until 2011 because overfishing is not occurring, but the Council is still required to include a specific ABC for 2010, based on SSC recommendations. Therefore, the PDT will present an estimate of ABC for 2010, based on the same quantitative approach the SSC is reviewing for Amendment 15.*" Being said about four months ago, this very relevant description of what was to come regarding Plan Development Team (PDT) and SSC involvement in providing a 2010 Allowable Biological Catch (ABC) was omitted and, therefore, had no influence on the November Council decision to set the 2010 ABC at a fishing mortality of 0.20 (29 DAS).

After reviewing Framework 21 development with Council and my staff and referencing PDT and SSC documents, we conclude the Council did not refer to PDT/SSC findings; consequently, 2010 DAS are far too restrictive with unnecessary economic loss.

I refer you to a Council summary of the PDT August 12 meeting. On pages 7 & 8 ("Summary of SSC decisions from 8/11/09 meeting") it reads: "*Staff briefed the PDT on the SSC meeting held the previous day. In general the SSC supported using the 25% chance of overfishing as the ABC control rule and was very complimentary of the work done by the PDT. It was accepted that this be used to set ABC and noted that the 25% chance fell between the 10-40% guidelines given in draft guidance documents NMFS is working on for implementing ACLs. The PDT reviewed the results about management uncertainty and support consideration of an ACT that is set at an F level with 25% chance of exceeding ABC. This happens to be an F of 0.24 for 2010 (my underlined emphasis)...*"

Then in a September 23 memo to Paul Howard from SSC chairman Steve Cadrin, the Council learned that the SSC "endorses the proposal by the Scallop PDT and other conventions of risk-based harvest rules that ABC be based on 25% probability of overfishing. Analyses of uncertainty indicate that a 25% risk of overfishing is associated with less than 1% loss in yield relative to F_{max} ." Steve provided a table with alternative projections of fishing mortality and yield at alternative probabilities of overfishing. That table depicted a 25% chance of overfishing with a 2010 F of 0.29 with a 2010 yield of 29,500 mt. He ended with a SSC recommendation: "The SSC recommends that Acceptable Biological Catch of scallops in 2010 should be 29,578 mt for the overall fishery."

The SSC/PDT probability of overfishing with corresponding 2010 Fs and yield never was brought forward by the Scallop Committee at the November Council meeting. In fact, the Committee had nothing to offer on this critical issue. I believe this omission played a key role in the Council adopting an F of 0.20 with all its attendant consequences. For this reason, I request you take appropriate steps to account for PDT and SSC analyses of uncertainty and that the 2010 ABC be set at $F = 0.24$, providing an even lower probability of overfishing, i.e., less than 20%.

I realize your modifying the Council's decision will present some scheduling and framework implementation problems. Nevertheless, it is justified because the Council unintentionally failed to use PDT and SSC advice.

If those recommendations had called for an F lower than 0.20, I would still urge you to consider those recommendations developed with critical input from the Northeast Fisheries Science Center. I suspect you would feel compelled to do so. Perhaps, the Council can be requested to revisit this issue at its next meeting even though that meeting is in January.

Considering the success of sea scallop management and the tremendous support of the fishing industry for management and science, I feel your acting to correct an unfortunate situation caused by a Council misunderstanding about technical/scientific recommendations is warranted. I'm sure you will find yourself and the National Marine Fisheries Service congratulated by an appreciative, extremely valuable sea scallop fishing industry.

Pat, thanks for your attention to this matter.

Sincerely,



Paul J. Diodati
Director

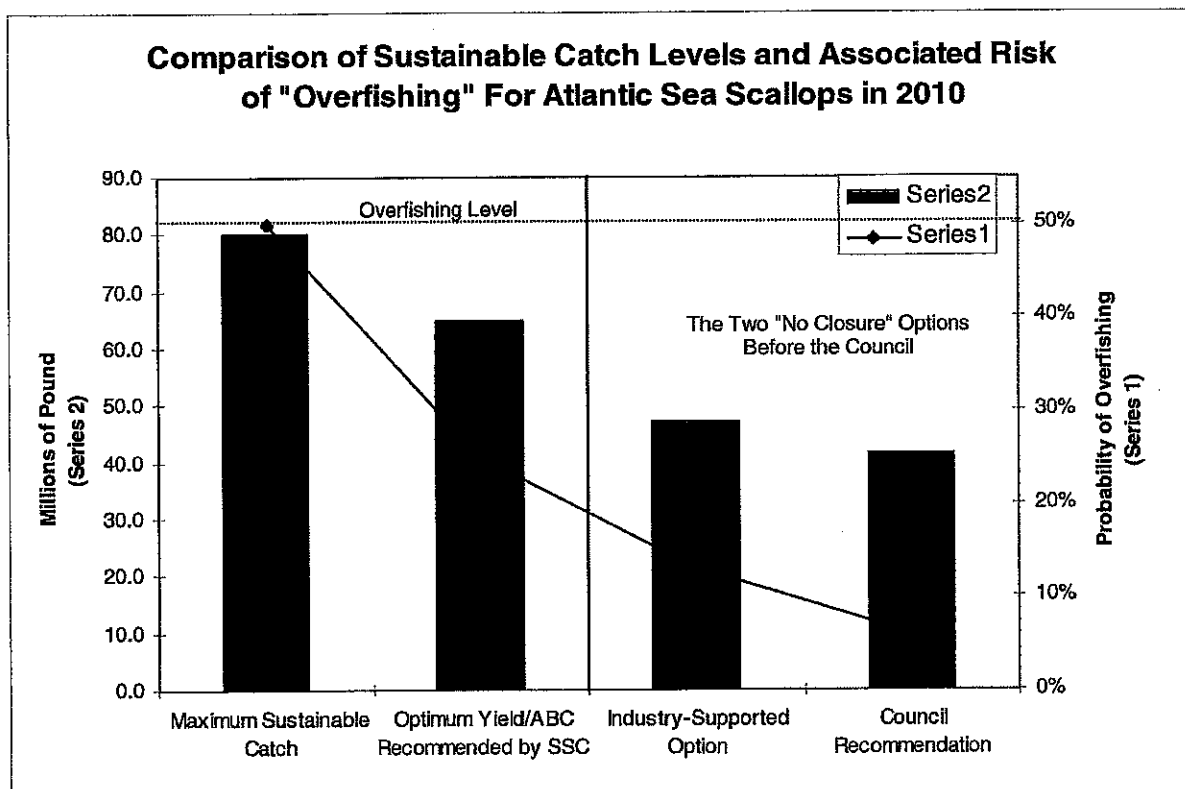
Cc: John Pappalardo, NEFMC
Paul Howard, NEFMC
Richard Robins, MAFMC
Daniel Furlong, MAFMC
Steve Cadrin, NEFMC SSC

Attachment 2

The following chart shows the catch expected for fishing at the rates associated with the Overfishing Level (“OFL”), Acceptable Biological Catch (“ABC”), the Council-Selected Option, and the Industry-Supported Option. The line shows the probability of overfishing if these levels of catch were to occur in 2010.

The OFL is associated with a 50 percent chance of exceeding the overfishing rate. That is legal minimum standard of uncertainty. The ABC is associated with a 25 percent chance of exceeding the overfishing rate. This is the preferred standard under the new National Standard 1 guidelines. The Industry’s preferred option entails a mere 13 percent chance that the overfishing level will be breached, while the Council’s, only 6 percent.

In effect, \$40 million of certain economic losses in 2010 are being imposed to buy an additional seven percentage points that the fishing rate will not be too high. Given the that scallop stock is fifty percent higher than the long-term target biomass, this price is far too high.



Attachment 3

Georgetown Economic Services, LLC

**3050 K. Street, N.W.
Washington, D.C. 20007**

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An Assessment of the New England Fisheries Management Council's Economic Impact Assessment of Atlantic Sea Scallop Framework 21

**Ariel H. Collis & Dr. Robert N. Fenili
Georgetown Economic Services
December 2009**

The New England Fisheries Management Council's ("NEFMC") Economic Impact Study of the allocation alternatives presented under Framework 21 to the Fisheries Management Plan ("FW21") gives too much weight to the "estimated" long-term economic benefits projected for each alternative. NEFMC's benefit calculations do not adequately take into account the uncertainty associated with the assumptions that underlie its projections.

There is considerable risk that the NEFMC's assumptions about future values of scallop allotments, fishing mortality, ex-vessel prices, and trip costs, which form the foundation of the NEFMC's projections, will not be realized. Because the uncertainty associated with these projections grows exponentially over time, the comparison of the economic benefits of the allocation alternatives given in FW21¹ should be made over a shorter period. The three-year period from 2010 to 2012 is the longest timeframe for comparison that is economically meaningful. Alternately, the projections of economic benefits after 2012 can be re-weighted in the present value benefit calculations so as to adequately reflect the uncertainty of the

¹ FW21 presents four allocation alternatives for the scallop fishery, namely, the No Closure F=.24 option, the No Closure F=.20 option, the Closure F=.20 option and the Closure F=.18 option. The closure of the Great South channel was voted down, after which the economic report was used to compare the economic benefit of the two "No Closure" options. This report refers exclusively to the comparison of the benefits of the to "No Closure" options.

calculations made for later years.² A short term comparison shows that the No Closure F=.24 option (“NCLF24”) gives a higher cumulative present value of producer profits than the No Closure F=.20 option (“NCLF20”).

The assumptions about the target fishing mortality rates that will be enforced for 2010 to 2016 drive the NEFMC’s projections of the economic benefit of each allocation considered by the Council. In its projections of biomass, landings, landings per unit effort (“LPUE”), and days at sea (“DAS”), the Council takes as given that each allocation alternative will have a different allowable mortality rate in 2010, but from 2011-2016 all alternatives are projected to have a F target of .24, identical area rotations, and identical DAS schedules.³ As is true in all economic forecasts, the likelihood that the projected benefits for the scallop fishery will be realized becomes less certain the further into the future that predictions are made. However, the Economic Report does not take this uncertainty adequately into account.

FW21 sets allocations only for 2010.⁴ After 2010, another framework will set allocations and specifications in the scallop fishery for 2011 and 2012.⁵ Since FW21 only directly affects the fishery in 2010, it may be argued that the proper timeframe for judging the

² That is, a suitably high discount rate can be used to compute the present discounted value of the economic impacts of each alternative. A higher discount rate for a projection means that one is less certain that a predicted value will be realized and thus the projections value should be reduced in the present value calculation to reflect that there is a chance that that projection will not occur. A present value calculation adds up predicted future benefits over the prediction period.

³ Except for the closure of the south channel under the CLF20 and CLF18 options. Framework 21 to the Atlantic Sea Scallop FMP, November 19, 2009 (hereafter “FW21”), p. 116.

⁴ FW21, p 15.

⁵ *Id.*, p.15. (“the Council decided to develop this action for 2010 only and a subsequent framework will set measures for 2011 and 2012.”)

effects of FW21 is to look at only 2010 economic benefits.⁶ Because the details of the next framework are not yet known, the model forecasts about allocations for succeeding year's benefits are uncertain.

The NEFMC may reasonably expect that, because the specification process for 2011 will start soon in the future, the Council may have some insight into the outcome of the allocation process for 2011 and 2012.⁷ Thus, the allocation can be predicted with some degree of accuracy for 2011 and 2012. However, such an argument cannot be made for predictions about the allocations for 2013 and beyond, because the framework which will govern those years will be set in 2012. No justification is given as to why it is reasonable to assume that allocations from 2013 to 2016 will stay constant across all options.

Assuming that the allocation holds constant from 2011 to 2016 might be considered reasonable if allocations had been unchanging in the past. However, the regulatory history of the scallop fishery shows that allocations and area management systems have changed frequently and significantly in recent history.⁸ For example, there have been four frameworks, and several amendments and adjustments in the last four years, each of which has changed allocations. If history is a guide, it is unlikely that the allocation will remain fixed from 2011 to 2016.

The likelihood that area allotments and area management will change over the next several years adds another level of uncertainty to NEFMC's projections. The 45th Scientific Assessment Workshop Report ("SAW45") explains that:

⁶ While it is not possible to judge the effects of the "Closure" options in 2010, since the positive effects of the channel closure will not be manifested until 2013, the effects of the "No Closure" options come fully into effect in 2010.

⁷ *Id.*, p116. The Council's indicates this insight by reporting that, "Access area trip allocations are expected to return to five per year after 2010."

⁸ See Framework 19 to the Atlantic Sea Scallop FMP (hereafter "FW19"), December 19, 2007, p. 2-6.

Because of the sedentary nature of sea scallops, fishing mortality of sea scallops can vary considerably even in the absence of area specific management. Area management, such as rotational and long term closures can make variation even more extreme. Projections that ignore such variation might be unrealistic and misleading.⁹

The Council's calculations of economic benefits do not account for the variation in the projections of biomass. One way to account for this would be to apply a suitable discount rate to the future benefits because the likelihood of those benefits are not certain. The Economic Report also does not consider the considerable variation in the projections of landings.¹⁰ To account for this variation requires an even higher discount rate to be used in present value calculations.

In addition to the uncertainties that accompany the Council's biomass and landings projections, NEFMC's predictions of scallop ex-vessel price and trip cost also rely on assumptions that involve considerable uncertainties. The model of the ex-vessel price of scallops assumes that many of the variables which NEFMC uses in its ex-vessel price prediction model remain constant from 2010 to 2016. For example, the model assumes that the U.S. disposable per-capita income and ex-vessel prices of imported scallops will stay constant at their 2008 inflation adjusted levels. NEFMC also assumes that scallop exports will constitute 45% of the domestic landings from 2010 to 2016.¹¹ Similarly, it is assumed that trip costs-per-day remain constant over the prediction period. In the short term these assumptions may be reasonable, but over long term the assumptions about the predicted import prices, trip costs, and percentage of exports weaken. The assumption that these variables will hold at their present value from 2010 to 2016 adjusted for inflation involves considerable uncertainty because the NEFMC admits that

⁹ 45th Scientific Assessment Workshop Report, p 163.

¹⁰ SAW45 states that, "Simulated landings are more variable than biomass, because the landings stream is more dependant on the abundances of a few areas..."Id. P. 165.

¹¹ Economic Impacts Report, p. 5.

that it is not possible to predict the changes in the future values of these explanatory variables accurately.

It may be argued that the NEFMC's long term projections are the best that can be made given the difficulty of forecasting macroeconomic and biological variables. However, no long term forecasts were needed to compare the benefits of the two "No Closure" options. The FW21 alternatives are evaluated in using a six year projection because "[i]f the Channel is closed in 2010, it will likely remain closed until 2013, and would be a controlled access area for about three years (until 2016), those are the years that the impacts of a new closure would be apparent."¹² To accomplish a seven-year comparison, a tradeoff was made. Reasonable short-term assumptions were extended past their point of plausibility in order to facilitate a comparison of all four alternatives. However, once the decision was made that the great south channel would not be closed, there was no longer a reason to compare the remaining alternatives over such a long term time frame at the loss of modeling accuracy.

The NEFMC argues that its models attempt to show the economic consequences of the allocation alternatives *ceteris paribus*.¹³ The Council argues that to perform such a comparison it is correct to hold fishing mortality, import prices, per capita income, and trip cost constant. This may be true, but the present value calculations used must account for the low likelihood that these forecasts will be realized by using a suitable discount value in its present value calculations.

The longest period that is economically meaningful to make a comparison between the two "No Closure" options is three years. If a comparison of the economic benefits is made over the 2010 to 2012 period, the present value of revenues is greater for the NCLF24 option than for

¹² FW21, p. 116.

¹³ That is, all other factors held constant.

the NCLF20 option.¹⁴ The revenue streams of the two “No Closure” options over the 2010 to 2012 period are given in the table below.

Cumulative Present Discounted Value - Revenues (7% Discount Rate)			
Year	NCLF20 (A)	NCLF24 (B)	Difference (A)-(B)
2010	\$303,358,538	\$343,614,951	\$40,256,413
2011	\$720,879,725	\$749,721,498	\$28,841,773
2012	\$1,148,475,534	\$1,161,366,577	\$12,891,043

Source: Framework 21 and The Economic Impact report

Similarly, the present value of profits over the 2010 to 2012 period is higher under the NCLF24 option than under the NCLF20. The year to year present value for profits to the two “No Closure” options are shown in the table below.

Cumulative Present Discounted Value- Profits (Assuming 7% Discount Rate)			
Year	NCLF20 (A)	NCLF24 (B)	Difference (A)-(B)
2010	\$268,073,738	\$302,430,951	\$34,357,213
2011	\$638,460,720	\$662,666,844	\$24,206,124
2012	\$1,016,775,019	\$1,026,447,480	\$9,672,461

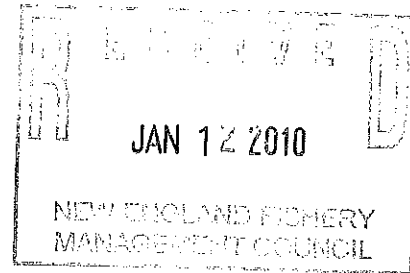
Source: Framework 21 and The Economic Impact report

The key to a reasonable assessment of economic benefits is the use of reasonable assumptions and a discount rate that is appropriately adjusted to reflect the uncertainties associated with assumptions and forecasts about the future.¹⁵ The Council’s economic report did not adequately take the uncertainty of its projections, especially its long term projections into account when computing the long term benefit of the allocation alternatives. The uncertainty of NEFMC’s projections can be reduced if the comparison of economic benefits is made over the three year period from 2010 to 2012. It is arguable that, since FW21 only sets allocations for 2010, a comparison of the effects of the FW21 allocation alternatives should be made only for

¹⁴ A seven percent discount rate is used to reflect the greater likelihood that these forecasts will be realized. The results presented are based on calculations performed by the author.

¹⁵ Richard Razgaitis. Valuation and pricing of technology-based intellectual property. John Wiley & Sons, 2003. p. 181.

2010. In either case, the present value of profits over 2010 or the 2010 to 2012 period is higher under the NCLF24 option than under the NCLF20.



Honorable Deval Patrick,
Governor
Commonwealth of Massachusetts
100 Cambridge Street, Suite 900
Boston, MA 02114

January 12, 2010

Governor Patrick:

The media has made it very clear that your office has joined other politicians in Massachusetts in taking an increased interest in the management of the Atlantic scallop fishery and attempting to change the decisions of the New England Fishery Management Council. As reported in the *Gloucester Times* on January 7, and in the regional media today, you have aggressively supported the Council reconsideration of the decisions made related to Framework 21 to the scallop Fishery Management Plan at the Council's November meeting. We believe that the reporting of this story in the Gloucester and New Bedford press in recent weeks is grossly inaccurate and may be leading you and your designee on the Council to make misinformed actions on this issue.

First and foremost, although the Council was quite tardy in issuing its white paper defending the November vote, the Council was well justified in its action related to Framework 21. The Council selected the alternative which combines an 'F20' catch level with no closure in the Great South Channel from a range of four options that were developed by the Council's Plan Development Team. These four options were analyzed under many lenses and in the end the F20 option provided the greatest benefit to the management of the region's oceans in many respects with the exception of projected short term landings in the 2010 fishing year.

Specifically the Council option called 'F20/No Closure', when compared with the F24/No Closure option supported by the scallop industry and evidently by you and other Massachusetts political figures, will reduce the total area affected by the scallop fishery in 2010 by more than 25%¹ will reduce fishing effort in the Mid-Atlantic region where interactions with threatened and endangered sea turtles have plagued this fishery, and will ultimately *increase* long-term landings for the fishery by almost \$12 million per year from 2011 through 2016.

Combining long-term economic benefits with environmental stewardship should be the goal of all fisheries management and we encourage you to reconsider your support of the position advocated by the lobbyists for the scallop industry and confirm the integrity of conscientious work that resulted in the Council's decision instead of criticizing the good work of the council after the fact.

F20 No Closure will Reduce Environmental Impacts of the Scallop Fishery-

We were particularly surprised at the support not only of your office but at the support by your Secretary for the Environment. As you are certainly aware, the scallop fishery is one of the most

¹ Framework 21 Environmental Assessment Document. Table 53. P. 144



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destructive fisheries in operation today. Dragging pairs of heavy steel dredges across the seafloor, scallop fishing alters marine habitats and has well-known bycatch and injury of both finfish and sea turtles which have been the subject of a string of fishery-specific actions under the Endangered Species Act since the 1990s.

Open area fishing on Days at Sea is often referred to as 'scratching bottom' because of its low efficiency in catching scallops and its high impacts on the seafloor and bycatch. The one proven method to reduce the habitat and bycatch effects of the scallop fishery is to limit fishing effort and direct this effort into times and areas with fewer environmental impacts. The F20 option selected by the Council would accomplish both of these tasks by decreasing the estimated overall 'area swept' by the fishery from 3,663 to 2,916 square nautical miles in 2010 when compared with the F24 approach. More specifically the Council option reduces effort in the Mid-Atlantic region where interactions with sea turtles and critically overfished Southern New England/Mid-Atlantic stocks of Yellowtail flounder are problematic.

All other things being equal management should reduce habitat impacts and bycatch. The F20 option clearly accomplishes this task.

However the two options are not similar in economic effects on the fishery, the root cause of the current controversy at the Council. It seems that in the well-funded and well orchestrated political effort of the fishing industry to undermine the Council process and achieve short-term gains in 2010, that the analysis of the effects on the fishery for 2011 through 2016 has been ignored. I believe that it is critical to your informed involvement in this process that you know the results of the projections for this fishery under these two catch strategies. While it is true that the scallop fishery will experience lost revenue in 2010 under the F20 approach, it is notable that the Council projections show increased landings for the 2011, 2012, 2013, 2014, 2015 and 2016 fishing years due to the maturation of an abundance of juvenile scallops that have been found in research survey but are not yet of marketable size.

The scallop industry heralds its stewardship of the scallop resource from depletion to abundance and the patience that the industry has shown to allow for recovery of this stock, yet curiously this industry and the \$600,000 war chest of it's lobbying arm² is now supporting the option that has the lowest projected biomass, landings, and economic revenues for the fishery for the years beyond 2010.

Finally any effort to revisit the decisions made on Framework 21 should come with a full understanding that this action will not only affect the scallop fishery and likely delay the implementation of the 2010 fishing rules well past the March 1 beginning of the scallop season but will also likely have significant effects on the groundfish fishery and its fledgling sector management program.

In groundfish framework 44, which was also approved in November 2009 the scallop fishery was allocated a portion of the catch for both Georges Bank and SNE/MA yellowtail flounder quotas to provide for bycatch in the scallop fishery. In order to comply with the Magnuson Stevens Reauthorization Act and other related federal law, any changes to the catch strategy for scallop

² Fisheries Survival Fund IRS form 990



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will require a reanalysis of the anticipated bycatch of yellowtail flounder, a recalculation of quotas for the directed groundfish fishery and likely require a delay in the approval of the groundfish fishing rules for 2010 including the initiation of sector fishing.

In light of the increasingly volatile rhetoric surrounding this exceptionally valuable fishery, we felt obliged to inform you of the facts about the scallop management options and the effects of any changes on the management of the scallop and groundfish fisheries. We hope that you will consider them and reverse your personal advocacy for changes to the scallop plan at the upcoming New England Fishery Management Council meeting and have your designees do the same.

We believe that any efforts to undermine the well reasoned and science based decisions of the Council in November are ill-informed.

We trust that you will look at the facts, look at the long term value of this important fishery, reverse your position and support a catch strategy for scallops that will improve the footprint of this fishery, increase its value and decrease its effects on threatened and endangered sea turtles.

Sincerely,

David L. Allison
Senior Campaign Director
Oceana
Washington, DC

Cc:

Eric Bilsky, Assistant General Counsel and Senior Litigator, Oceana
Paul Howard, Executive Director, New England Fishery Management Council
John Pappalardo, Chairman, New England Fishery Management Council
Patricia Kurkul, Regional Administrator, National Marine Fisheries Service

From: Nancy Thompson
Sent: Thursday, January 07, 2010 10:23 AM
To: Minkiewicz, Andrew
Subject: Re: RE: Concerns with Scallop F rates

Drew, sorry it's taken so long to respond, we all got caught up in the holidays the past week or so. You express several concerns about the magnitude of recommended catches for 2010 and observed landings in 2009. You also express concerns about the appropriateness of the Council's comparisons of current fishing mortality rates with existing and proposed modifications of the biological reference points for fishing mortality rates. In the following response we distinguish these concerns in two separate sections.

Clarification of Catch Recommendations for 2010

You correctly note that the SSC recommendation of an Acceptable Biological Catch (ABC) is 65.2 million lb based on an $F=0.284$. It is important to note that this estimate is for catch, including landings plus dead discards and incidental mortality. The ABC of 65.2 million lb drops to 57.8 million lb of landings when these additional removals are deducted.

The estimated landings of 56 million lb in 2009 would result in a preliminary F estimate of 0.30, compared to landings of 57.8 million lb in 2010 under an F of 0.284. Although the estimated landings in 2009 are slightly less than the landings projected under an F of 0.284 in 2010, the F is slightly lower in 2010 because the exploitable stock is expected to grow modestly in 2010, and more large U-10 scallops are expected to be landed in 2010 than in 2009. It is true that scallop biomass has been fairly stable in recent years, but there have been modest year to year variations that can affect estimates of fishing mortality.

Incorporation of Uncertainty into Biological Reference Points and ABCs

The MSRA mandate to incorporate uncertainty into the estimation of ABC and the increased responsibilities of the SSC, represent an important transition period for the management of fisheries. Recent technical advances by the Scallop PDT, and the inclusion of those results in the recommendations to the SSC, and subsequently to the Council illustrate how complicated that transition can be. In the following paragraphs I will summarize the technical basis of recent recommendations and address your major points.

The overfishing definitions in the Scallop FMP have not been modified for 2010. The fishing mortality rate proxy for $F_{MSY}=0.29$ remains in effect until a new value is approved as part of the Scallop FMP. The proxy for F_{MSY} currently used is the fishing mortality resulting in maximum yield per recruit, otherwise known as F_{MAX} . The determination of F_{MAX} is based on a set of parameters related to average size at age, selectivity of the fishery, and natural mortality rates.

Recall that, in developing Amendment 15, the SSC instructed the PDT to develop a method for quantifying scientific uncertainty to set an ABC below the overfishing level (OFL). At the request of the SSC, the PDT investigated the implications of uncertainty in these parameters. A simulation study of the consequences of this uncertainty resulted in an increase of the F_{MAX} value from 0.29 to between 0.36 and 0.37 (which will be proposed in Amendment 15 as the F corresponding to the OFL). This new methodology is not formally included in the Scallop FMP until further review during the upcoming benchmark sea scallop assessment and adoption of Amendment 15.

The SSC is at liberty to use which ever parameters it sees fit when recommending a fishery's ABC for a given fishing year. For 2010, the SSC decided to use the stochastic analysis as proposed in Amendment 15 as the basis of its ABC recommendation. The Council, however, is responsible for setting an F target that prevents the current fishing mortality threshold being exceeded. Although the Council accepted the SSC's ABC recommendation for 2010, their decision on setting a target F was based on the overfishing definitions in the FMP, as well as achieving optimum yield over the long term.

It should also be noted that the current overfishing definition and calculation of ABC assume that fishing mortality is spatially and temporally uniform. In the case of the scallop fishery, fishing mortality is highly non-uniform, due in part to rotational and EFH closures. Because of this, landings corresponding to the ABC in 2010 would induce localized overfishing in the open areas. Therefore, the lower target F approved by the NEFMC gives greater long-term landings than higher F targets.

A preliminary estimate of F in 2009 suggested a value of about 0.30. I emphasize that the estimate of F for 2009 is preliminary. Dr. Hart informed the PDT and Scallop Committee that this estimate was indicative, but not definitive, and that it would have to be reviewed at the upcoming benchmark in June 2010. The landings data for 2009 are not yet complete, and the model formulation represents an update of the formulation used at the last benchmark assessment. This model formulation may be revised as a result of the next benchmark assessment. Revisions of reference points, such as incorporation of the stochastic approach approved by the SSC, will also be considered during the assessment. The status determination made during the last benchmark stock assessment in 2007 (i.e., that sea scallops were not overfished and overfishing is not occurring) remains in effect until the next assessment is completed and reviewed in 2010.

We believe that the industry has drawn an inappropriate parallel between the functions of the stochastic analysis and assessment model. The stochastic analyses identify an F_{MSY} proxy that is applied to projected catch, whereas the assessment model derives a fishing mortality estimate from previous fishing years through actual landings data. The estimate of actual F for a given fishing year does not depend on whether a deterministic or stochastic reference point was used to determine the target F rate for that given year, so the preliminary 2009 F estimate requires no adjustment

----- Original Message -----

From: "Minkiewicz, Andrew" <AMinkiewicz@KelleyDrye.com>

Date: Monday, January 4, 2010 3:23 pm

Subject: RE: Concerns with Scallop F rates

➤ Pat,

Hope you had a good Christmas and New Year. As a follow up to my last email on this topic, I wanted to draw your attention to a recent letter to the editor by Paul Howard in the Commercial Fisheries News. In the letter, Paul cites the 56 million pounds of scallop catch as being too close to the ABC for the Council's comfort. Paul's statement in the letter is inconsistent with the Council discussion that took place in November, where Council and agency staff put forward that 2009 fishing levels may have resulted in overfishing and members of the Council expressed concern with allowing overfishing to occur.

It is my understanding that the 2009 scallop allocation is on the agenda for the upcoming Council meeting. We need to get this important issue resolved and have the Council correctly informed about the status of the 2009 scallop fishing year, as there are now conflicting public accounts of the status of the fishery.

Thank you for your help on this matter,

Drew

-----Original Message-----

From: Pat Kurkul [mailto:Pat.Kurkul@noaa.gov]

Sent: Wednesday, December 23, 2009 4:27 PM

To: Minkiewicz, Andrew

Cc: Nancy.Thompson@noaa.gov; Paul.Rago@noaa.gov; Frulla, David E.;

cfarm@capecod.net; Hannah F Goodale; Chris Mantzaris; Peter

Christopher; George Darcy; Emily Bryant; Deborah Hart; Richard

Merrick; Fred Serchuk;

James Weinberg

Subject: Re: Concerns with Scallop F rates

Drew,

We think you may be mixing some of the changes being discussed and proposed in Amendment 15 with what's in Framework 21. The current fishing mortality threshold has not changed. We'll work with the Center on a more detail response to your concerns.

Merry Christmas to you too.

Pat

Minkiewicz, Andrew wrote:

Nancy,

Sorry to contact you on Christmas week, but I have learned of what may be some important information. Apparently, the estimated F rate of .29 for 2009 scallop fishing year that was provided to the Council during its deliberation of Framework 21 was calculated in a manner that is inconsistent with the existing overfishing definition. It is my understanding that the actual estimate of the F rate using the existing overfishing definition was .20.

Apparently, what has confused the situation is the recent recommendation of the SSC to use a stochastic projection in setting the OFL for scallops. Under this new stochastic "scale" OFL moves from .29 to .37, and the ABC is set at .29. The estimated F rate of .29 that was presented to the Council was based upon this new stochastic scale. Therefore, for the 2009 fishing year, the scallop fishery was close to the ABC limit (if it had been set for FW 19), but comfortably below the OFL. Unfortunately, the Council was given the impression that the scallop fishery was experiencing overfishing, which is not the case, because of the F rate is converted to the non stochastic scale it is .20.

The belief that overfishing may be occurring in the scallop fishery certainly influenced many Council members votes on the allocation for FW 21. FSF would greatly appreciate that you investigate this matter and if what I have presented to you is indeed the case, a correction must be sent to the Council ASAP, as it was grossly misinformed on the status of the scallop fishery.

I appreciate your prompt attention to this matter and have a merry Christmas.

Drew

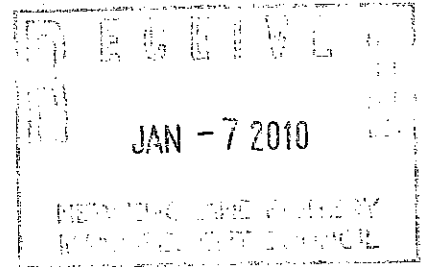
ASSOCIATED FISHERIES OF MAINE

PO Box 287, South Berwick, ME 03908

207-384-4854

January 7, 2010

Mr. John Pappalardo, Chair
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950



Dear John:

Associated Fisheries of Maine (AFM) joins the chorus of voices asking the New England Fishery Management Council to reconsider its November vote on scallop FW21.

AFM members are vested in both the limited access scallop fishery and the limited access general category IFQ fishery. Like all the others you've heard from on this issue, we are concerned about the economic impacts of the Council's decision.

We would like to take this opportunity to emphasize the impact of FW21 on the general category IFQ fleet. It is our understanding that the difference, in terms of total landings, between the fishing mortality of .20 selected by the council and the alternative fishing mortality rate of .24 is approximately 6 million pounds to the combined limited access and general category fleets. Therefore the fishing mortality rate of .20 represents a loss in landings to the general category fleet of approximately 300,000 lbs. This significant loss in potential IFQ allocation would mark a bad start to the first true "catch share" program in New England.

As always, we appreciate your consideration of our views.

Sincerely,

M. Raymond
Maggie Raymond

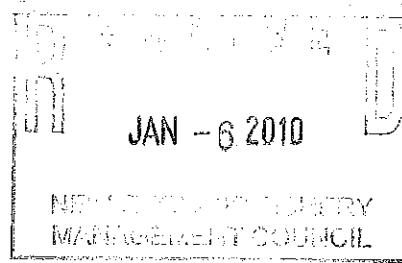
Associated Fisheries of Maine is a trade association of fishing and fishing dependent businesses. Membership includes harvesters, processors, fuel/gear/ice dealers, marine insurers and lenders, and other public and private individuals and businesses with an interest in commercial fishing.

Cc: Council, DB, JM, CBK (1/8)



CITY OF NEW BEDFORD

SCOTT W. LANG, MAYOR



Via Certified Mail

December 31, 2009

Secretary Gary Locke
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Secretary Locke:

As you are aware, the New England Fisheries Management Council voted at its November 18, 2009 Council Meeting to reduce the days-at-sea from 37 to 29 for the Atlantic Scallops. In addition, the Council voted to reduce the access area trips from 5 to 4.

This measure was taken despite correspondence as recently as July of 2009 wherein Paul Howard, a member of the Science and Statistical Committee (SSC) indicated:

"Full implementation of ACLs is not required in the Scallop FMP until 2011 because overfishing is not occurring, but the Council is still required to include a specific ABC for 2010 based on SSC recommendations. Therefore, the PDT will present an estimate of ABC for 2010 based on the same quantitative approach the SSC is reviewing for Amendment 15."

Nonetheless, the Council chose to omit the SSC science from its November Council vote and instead the Council inexplicably voted to implement a fishing mortality of 29 days-at-sea and 4 access area trips. The Scallop Planning and Development Team (PDT) was briefed on the SSC recommendations at its August 12, 2009 meeting. Please refer to the decisions on Page 7 and 8 from the August 11, 2009 meeting, which read as follows:

"In general the SSC supported using the 25% chance of overfishing as the ABC control rule and was very complimentary of the work done by the PDT. It was accepted that it be used to set ABC and noted that the 25% chance fell between the 10-40% guidelines given in draft guidance documents NMFS is working on

implementing ACLs. The PDT reviewed the results about management uncertainty and support consideration of an ACT that is set at an F level with 25% chance of exceeding ABC.”

In a September 23, 2009 memo to Paul Howard, from SSC Chairman Steve Cadrin, the Council was advised that:

“the SSC endorses the proposal by the Scallop PDT and other conventions of risk-based harvest rules that ABC be based on 25% probability of overfishing. Analyses of uncertainty indicate that a 25% risk of overfishing is associated with less than 1% loss in yield relative to F max.”

At the November Council meeting the SSC/PDT probability of overfishing was never even mentioned by the Scallop Committee chaired by Sally McGee. Perhaps this glaring omission is why the New England Fisheries Management Council proceeded in the fashion with the vote that it took.

The Magnuson Steven Act, 16 U.S.C. §1851 (a) (1) requires:

“Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.”

As stated earlier, the SSC advised the Council that there was no need for the NEFMC to put an Annual Catch Limit in place until 2011 because overfishing is not occurring. Thus, the factors upon which the NEFMC based their assessments were well below the maximum sustainable yield and not in compliance with the Magnuson Stevens Act, 16 U.S.C. §1851 (a) (1).

The Magnuson Steven Act, 16 U.S.C. §1851 (a) (1) requires:

“Conservation and management measures shall be based upon the best scientific information available.”

The SSC provides the best scientific data available when implementing a fisheries management plan. The New England Fisheries Management Council chose to completely ignore the data submitted by the SSC. The economic impact on the fishing families and fishing industry in New Bedford will be devastating if these new reductions are implemented. I do not believe that the scientific data regarding the state of the scallop fishery was considered appropriately, nor do I believe that any appropriate economic impact was considered by the Council.

With all due respect, given the abrupt and irregular manner in which the Council conducted its work, I have enclosed a Freedom of Information Act Request seeking communications between NOAA and all of the Council Members and all third parties that may have played a role in this arbitrary and capricious decision.

Thank you for your prompt attention to this matter.

Sincerely,



Scott W. Lang
Mayor

cc: Sen. John F. Kerry, 304 Russell Senate Office Bldg., Washington, DC 20510
Sen. Paul G. Kirk, Jr., 317 Russell Senate Office Bldg., Washington, DC 20510
Congressman Barney Frank, 2252 Rayburn House Office Bldg., Washington, DC 20515
Governor Deval Patrick, Mass. State House, Office of the Governor, #280,
Boston, MA 02133
Attorney General Martha Coakley, Office of the Attorney General, One
Ashburton Place, Boston, MA 02108
City Solicitor Irene Schall, City Hall, 133 William Street, New Bedford, MA
02740



CITY OF NEW BEDFORD

SCOTT W. LANG, MAYOR

FOIA REQUEST

December 31, 2009

U.S. Department of Commerce
Secretary Gary Locke
1401 Constitution Avenue, NW
Washington, DC 20230
Certified Mail

Dear Secretary Locke:

Request is hereby made pursuant to 5 U.S.C. §552 for copies of all communications of any kind, formal or informal, regarding the regulation of scallop and yellowtail flounder, specifically from September 1, 2009 to December 24, 2009. The following individuals, staff and outside interest groups including lobbyists are to be covered by this request:

- Secretary of Commerce; Secretary Gary Locke
- Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator; Dr. Jane Lubchenco
- Acting Assistant Administrator of NOAA for Fisheries; Dr. James W. Balsigner
- Regional Administrator of the Northeast Regional Office of the National Marine Fisheries Service; Pat Kurkul
- Director and Deputy Director of the Northeast Fisheries Science Center; Dr. Nancy Thompson and Dr. Frank Almeida
- Chairman of the New England Fisheries Management Council; John Pappalardo
- Executive Committee of the New England Fisheries Management Council; John Pappalardo, Rip Cunningham, James Odlin, Dr. David Pierce, Terry Stockwell and Pat Kurkul
- Members of the New England Fisheries Management Council; George Lapointe, Dr. W. Michael Sullivan, Paul Diodati, David G. Simpson, Doug Grout, Patricia Kurkul, Terry Stockwell, Mark Gibson, David E. Pierce, Mark Alexander, Cheri Patterson, George Darcy, Frank Blount, Rip Cunningham, James F. Fair, Jr., Michael P. Leary, Glen A. Libby, John W. Pappalardo, Mary Beth Nickell-Tooley, Rodney Avila, Dave Goethel, Sally McGee, James Dolin, Dave Preble, John Vince O'Shea, Joe

Mimic, Dr. Marvin Moriarty, Ms. Deirdre Warner-Kramer, Bob Beal, Capt. Peter Decoma, Dr. James Geiger, Mr. Langdon Baronet.

- Science and Statistical Committee of the New England Fisheries Management Council; Dr. John Annals, Dr. Steven Cardin, Dr. Victor Cresco, Dr. John Gates, Dr. Daniel Georgiana, Dr. John Hoenig, Dr. Les Kaufman, Dr. Jacob Kritzer, Mr. Jean-Jacques Maguire, Mr. Robert O'Boyle, Dr. Robert Robertson, Dr. Andrew Rosenberg, Dr. Michael Sissenwine and Dr. Patrick Sullivan
- Plan Development Team(s) of the New England Fisheries Management Council; Groundfish PDT, Scallop PDT
- Any persons affiliated with the Environment Defense Fund
- Any persons affiliated with the Pew Environmental Group and related projects
- Any persons affiliated with the Cape Cod Commercial Hook Fisherman's Association

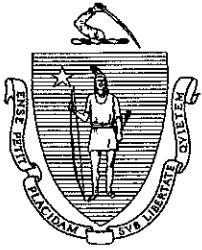
Communications shall be considered to include all e-mails, all telephone records, written correspondence and all internal correspondence. I am specifically interested in all communications prior to, and after, the meetings of the "Scallop Committee" on November 3, 2009 and the New England Fisheries Management Council meeting on November 18, 2009.

Thank you for your prompt attention to this request.

Sincerely,


Scott W. Lang
Mayor

cc: Sen. John F. Kerry, 304 Russell Senate Office Bldg., Washington, DC 20510
Sen. Paul G. Kirk, Jr., 317 Russell Senate Office Bldg., Washington, DC 20510
Congressman Barney Frank, 2252 Rayburn House Office Bldg., Washington, DC 20515
Governor Deval Patrick, Mass. State House, Office of the Governor, #280, Boston, MA 02133
Attorney General Martha Coakley, Office of the Attorney General, One Ashburton Place, Boston, MA 02108
City Solicitor Irene Schall, City Hall, 133 William Street, New Bedford, MA 02740



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

DEVAL L. PATRICK
GOVERNOR
TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR
IAN A. BOWLES
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>



December 31, 2009

Mr. John Pappalardo, Chairman and
Members of the New England Fisheries Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Dear Chairman Pappalardo and Members of the New England Fisheries
Management Council:

I write to respectfully request that, at its upcoming meeting on
January 26, the New England Fisheries Management Council reconsider
and reverse its recent decision to sharply reduce fishing days for sea
scallopers, from 37 to 29 days, for 2010. I believe that the Council's
decision was not based upon the best available science, and that the
proposed restrictions on scallop fishing would have dire and unnecessary
economic impacts on communities that are already severely stressed.

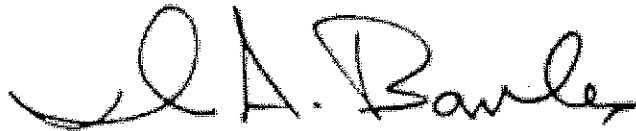
If the Council's decision stands, fishing communities will sustain a
devastating economic blow at the worst possible time. Reducing scallop
fishing by 22 percent, as the Council's decision would do, will result in a
\$40 million loss to scallopers and a \$200 million loss to fishing communities
and onshore businesses.

cc: Council, DB, JH, CBK, JP (1/6)

The New England Fisheries Management Council's Scientific and Statistical Committee, which is tasked with providing unbiased and science-based data on the health of the fishery, has recently reported that scallops are not overfished, and that the scallop fishery could sustainably support a fishing level similar to 2009. In light of these findings, there does not appear to be any compelling case for imposing severe restrictions that will result in such economic hardship in our fishing community. In the interest of using the best scientific information available for management decisions, I believe reconsideration and reversal of the decision to reduce scallop fishing effort in 2010 is warranted.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "J.A. Bowles". The signature is written in a cursive style with a large, stylized initial "J" and "A".

cc: Massachusetts Delegation

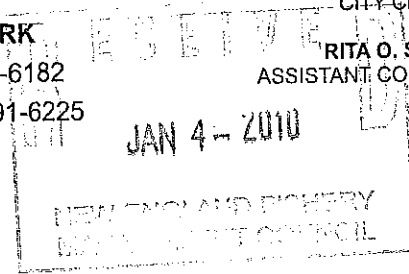


City of New Bedford
MASSACHUSETTS

OFFICE OF THE CITY CLERK
133 WILLIAM STREET 02740-6182
TEL 508-979-1450 / FAX 508-991-6225

RITA D. ARRUDA
CITY CLERK

RITA O. SYLVIA
ASSISTANT COUNCIL CLERK



December 21, 2009

- The Honorable Gary Locke, U. S. Secretary of Commerce, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, D.C. 20203
- Ms. Sally McGee, New England Fisheries Management Council Policy Director (NEFMC), 50 Water Street, Mill 2 | Newburyport, MA 01950
- Dr. Jane Lubchenco, Administrator and Under Secretary of Commerce, National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, D.C. 20203
- Ms. Patricia Kurkul, National Marine Fisheries Service Regional Administrator, Northeast Region (NMFS), 55 Great Republic Drive, Gloucester, MA 01930-2276
- Mr. Paul J. Diodati, Director, MA Division of Marine Fisheries, 251 Causeway Street-Suite 400, Boston, MA 02114

At a meeting of the New Bedford City Council on Thursday, December 17, 2009, the City Council ADOPTED a Written Motion by all Members of the New Bedford, MA City Council, Councillors Gonsalves, Coelho, Martins, Dehner, Lawrence, Council President Saunders, Councillors Alves, Gomes, Morad, Duarte and Pimental, "asking that the City Council send a letter of support, on behalf of the New Bedford commercial fishing community, to Sally McGee of the New England Fisheries Management Council, (NEFMC) Dr. Jane Lubchenco of the National Oceanic and Atmospheric Administration (NOAA) and Patricia Kurkul of the National Marine Fisheries Service, (NMFS) and Secretary of Commerce Gary Locke, going on record in OPPOSITION to the decision to reduce fishing days for scallopers, due to the resulting loss in revenue and jobs that will occur during these already difficult economic times."

The New Bedford City Council voted unanimously to show our opposition to yet another reduction affecting our fishing fleet, which is the backbone of our City's commerce. We respectfully ask you to reconsider your decision and take into consideration the full-time scallopers who would be unable to earn enough to support their families and maintain the safety and condition of their equipment with a scant 29 days at sea, fewer trips and even less access areas than previously allowed. Thank you, in advance, for your consideration.

Sincerely,

Rita D. Arruda
Rita D. Arruda
City Clerk/City Council Clerk

:ros (ReducedFishingOPP.letJLG)

Enclosure

- cc: -The Honorable Deval Patrick, Governor, Massachusetts State House, Office of the Governor-Room 280, Boston, MA 02133
- The Honorable Timothy Murray, Lieutenant Governor, Massachusetts State House, Office of the Lt. Governor-Room 280, Boston, MA 02133
- Council President Saunders
- Councillor Gonsalves
- Files

cc: Council, DB, CBK C/w



#30 Letter
CITY OF NEW BEDFORD

CITY COUNCIL

December 17, 2009

31

WRITTEN MOTION

Asking that the City Council send a letter of support, on behalf of the New Bedford commercial fishing community, to Sally McGee of the New England Fisheries Management Council, (NEFMC) Dr. Jane Lubchenco of the National Oceanic and Atmospheric Administration (NOAA) and Patricia Kurkul of the National Marine Fisheries Service, (NMFS) going on record in OPPOSITION to the decision to reduce fishing days for scallopers, due to the resulting loss in revenue and jobs that will occur during these already difficult economic times.

Jane L. Gonsalves, Councillor Ward Five

Debora Coelho, Councillor at Large

Steven Martins, Councillor Ward Two

Kathy M. Dehner, Councillor Ward Three

Denis Lawrence, Jr., Councillor at Large

John T. Saunders, City Council President

David Alves, Councillor at Large

Brian K. Gomes, Councillor at Large

Linda M. Morad, Councillor Ward One

Bruce Duarte, Jr., Councillor Ward Four

Wendy Pimental, Councillor Ward Six

IN CITY COUNCIL, December 17, 2009

Amended by Councillor Gonsalves to add the U.S. Secretary of Commerce to letter addressees – All Ayes.

ADOPTED as Amended and Rule 40 Waived – Yeas 10, Nays 0. Rita D. Arruda, City Clerk

a true copy, attest:

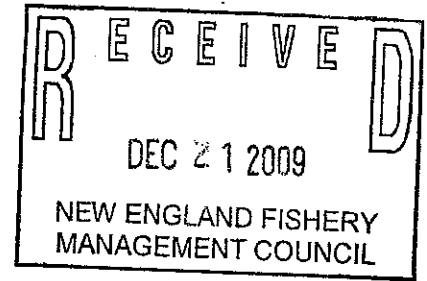
City Clerk

**FISHERIES SURVIVAL FUND
2 Middle Street
Fairhaven, MA 02719**

December 18, 2009

VIA HAND DELIVERY

Jane Lubchenco, Ph.D.
NOAA Administrator and Under Secretary of Commerce
National Oceanic and Atmospheric Administration
US Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C. 20230



Dear Administrator Lubchenco:

We, the undersigned, consist of over one thousand Atlantic sea scallop fishermen, retail and wholesale seafood dealers, other scallop-dependent businesses, and their employees. We write to express our extreme dismay with the New England Fishery Management Council's recent decision to severely restrict fishing opportunities for the scallop industry. The action fails to balance the conservation of scallop stocks with the economic and social health of the industry, and it will cause unnecessary damage to fishing communities from Maine to North Carolina, as well as local, regional and national economies, more generally, at precisely the wrong time.

Federal scientists have stated that there are over 300 million pounds of harvestable-sized U.S. Atlantic scallops and that 65 million pounds could be caught sustainably. Given that, we are at a loss to understand why the Council voted to allow only 41 million pounds of scallop catch next year, rather than the risk averse 47 million pounds the industry had sought for 2010.

We include not only owners, captains, and crew of scallop fishing vessels, but also many other businesses and individuals that rely on a stable supply of fresh, sustainable scallops. Companies and individuals that process, store, transport, market, and prepare scallops for consumption provide good jobs and support families in economically hard-hit areas because of the scallop fishery. This is also true of companies and individuals that provide goods and services to the scallop fishing vessels—everything from fuel, ice, and groceries, to gear, repairs, and insurance.

The 6 million pounds of scallops the Council narrowly voted to leave unharvested represent a loss of well over \$40 million to scallopers—and hundreds of millions of dollars more to those of us who support this important industry. Jobs and work hours are at stake, and not only for scallop captains and crew whose vessels will be tied to the dock for over 300 days next year. It is also millions of tax dollars not paid, at a time when governments at every level struggle to stay out of the red. Amazingly, these cuts are proposed now, when scallop stocks are fifty percent above the level that produces long-term sustainable yield.

ADB (12/22), Council

Jane Lubchenco, Ph.D.
NOAA Administrator and Under Secretary of Commerce
December 18, 2009
Page 2

This rapid and unnecessary reduction in scallops available to the U.S. market undoubtedly will have long-term negative effects not fully appreciated by the Council. Demand for scallops is high, meaning that imports will rise to make up for the lack of domestic production. Once this market share is lost, it will be very difficult to gain back.

We have all made long-term investments based upon what we thought was a stable industry. We have seen scallop fishermen make conservation sacrifices and work with federal and state officials and scientists to change a troubled fishery in the early 1990's to the most valuable one in the U.S. today.

Therefore, we urge you to take immediate action to restore the six million pounds in total catch for 2010, and to further consider an expedited framework process to allow at least a partial additional trip into the Georges Bank access areas, where adult scallops are abundant. During these difficult economic times, we cannot sacrifice income and market-share for small and hypothetical gains some six years down the road.

We look forward to working with you and your staff to address this important issue and protect the Atlantic sea scallop industry.

Respectfully submitted,

Fisheries Survival Fund



Herman Bruce



Malvin Kvilhaug

cc: New England Fisheries Management Council
Congressional Delegations
Regional Administrator Patricia Kurkul

FISHERIES SURVIVAL FUND PARTICIPANTS

Vessels

VESSEL NAME	HOME PORT TOWN/CITY	STATE
Bill & Eileen	New London	CT
Brittany Eryn	New London	CT
John & Jane	New London	CT
Madison Kate	New London	CT
Pamela Ann	New London	CT
Nelson	Boston	MA
Santa Isabel	Boston	MA
Santa Maria	Boston	MA
Courageous	Fairhaven	MA
Diligence	Fairhaven	MA
Legacy	Fairhaven	MA
Michigan	Fairhaven	MA
Christine & Julie	Gloucester	MA
Acores	New Bedford	MA
Act III	New Bedford	MA
Act IV	New Bedford	MA
Alaska	New Bedford	MA
Ambassador	New Bedford	MA
Ambition	New Bedford	MA
Andrea Jean	New Bedford	MA
Ann M	New Bedford	MA
Apollo	New Bedford	MA
Araho	New Bedford	MA
Arcturus	New Bedford	MA
Athena	New Bedford	MA
Atlantic	New Bedford	MA
Avenger	New Bedford	MA
Beth Anne	New Bedford	MA
Bethany Eryn	New Bedford	MA
Bountiful II	New Bedford	MA
Celtic	New Bedford	MA
Challenge	New Bedford	MA
Concordia	New Bedford	MA

FISHERIES SURVIVAL FUND PARTICIPANTS

Vessels

VESSEL NAME	HOME PORT TOWN/CITY	STATE
Contender	New Bedford	MA
Cool Change	New Bedford	MA
Cove	New Bedford	MA
Decisive	New Bedford	MA
Defiant	New Bedford	MA
Determination	New Bedford	MA
Donny C	New Bedford	MA
Edgartown	New Bedford	MA
Endeavor	New Bedford	MA
Endurance	New Bedford	MA
Evergreen	New Bedford	MA
Expectation	New Bedford	MA
Explorer	New Bedford	MA
Fair Wind	New Bedford	MA
Fearless	New Bedford	MA
Fjord	New Bedford	MA
Foremost	New Bedford	MA
Freedom 2000	New Bedford	MA
Friendship	New Bedford	MA
Frontier	New Bedford	MA
Generation	New Bedford	MA
Georges Banks	New Bedford	MA
Harvester	New Bedford	MA
Hawk	New Bedford	MA
Hear No Evil	New Bedford	MA
Heritage	New Bedford	MA
Horizon	New Bedford	MA
Huntress	New Bedford	MA
Ilha Brava	New Bedford	MA
Independence	New Bedford	MA
Inheritance	New Bedford	MA
Inspiration	New Bedford	MA
Invincible	New Bedford	MA
Janice Julie	New Bedford	MA

FISHERIES SURVIVAL FUND PARTICIPANTS

Vessels

VESSEL NAME	HOME PORT TOWN/CITY	STATE
Julie G	New Bedford	MA
Justice	New Bedford	MA
Karen Nicole	New Bedford	MA
Kathleen & Mary	New Bedford	MA
Kathy & Jackie	New Bedford	MA
Kathy Marie	New Bedford	MA
Kayla Rose	New Bedford	MA
Lady of Fatmia	New Bedford	MA
Let it Ride	New Bedford	MA
Liberty	New Bedford	MA
Linda	New Bedford	MA
Luzitano	New Bedford	MA
Majestic	New Bedford	MA
Mary Anne	New Bedford	MA
Mirage	New Bedford	MA
Miss Leslie	New Bedford	MA
Miss Shauna	New Bedford	MA
Monomoy	New Bedford	MA
Nashira	New Bedford	MA
Neskone	New Bedford	MA
Nordic Pride	New Bedford	MA
Norseman	New Bedford	MA
Orion	New Bedford	MA
Pacer	New Bedford	MA
Patience	New Bedford	MA
Patriots	New Bedford	MA
Paul & Michelle	New Bedford	MA
Perola Do Corvo	New Bedford	MA
Polaris	New Bedford	MA
Queen of Peace	New Bedford	MA
Quincy II	New Bedford	MA
Raeleen Michelle	New Bedford	MA
Raiders	New Bedford	MA
Ranger	New Bedford	MA

FISHERIES SURVIVAL FUND PARTICIPANTS

Vessels

VESSEL NAME	HOME PORT TOWN/CITY	STATE
Reliant	New Bedford	MA
Resilience	New Bedford	MA
Resolute	New Bedford	MA
Resolution	New Bedford	MA
Rost	New Bedford	MA
Saga	New Bedford	MA
Sandra Jane	New Bedford	MA
Sea Ranger	New Bedford	MA
Sovereign Star	New Bedford	MA
Stacy Lee	New Bedford	MA
Thor	New Bedford	MA
Tyler & Noah	New Bedford	MA
Vantage	New Bedford	MA
Venture	New Bedford	MA
Vila Do Corvo II	New Bedford	MA
Vila Nova Do Corvo I	New Bedford	MA
Villa Nova	New Bedford	MA
Westport	New Bedford	MA
Wisdom	New Bedford	MA
Zeus	New Bedford	MA
Zibet	New Bedford	MA
Bella Rose	Bass Harbor	ME
Shearwater	Owls Head	ME
Dictator	Southwest Harbor	ME
Abby & Holly	Barnegat Light.	NJ
Elizabeth	Barnegat Light	NJ
F Nelson Blount	Barnegat Light	NJ
Grand Larson III	Barnegat Light	NJ
Kathy Ann	Barnegat Light	NJ
Lindsay L	Barnegat Light	NJ
Lori-L	Barnegat Light	NJ
Miss Maddy	Barnegat Light	NJ
Miss Manya	Barnegat Light	NJ
Relentless	Barnegat Light	NJ

FISHERIES SURVIVAL FUND PARTICIPANTS

Vessels

VESSEL NAME	HOME PORT TOWN/CITY	STATE
William & Lauren	Barnegat Light	NJ
Adrianna	Cape May	NJ
Adventuress	Cape May	NJ
Alexandra L	Cape May	NJ
Amber Nicole	Cape May	NJ
Atlantic Bounty	Cape May	NJ
Atlantic Girl	Cape May	NJ
Barbara Anne	Cape May	NJ
Cape May	Cape May	NJ
Captain Bob	Cape May	NJ
Captain Bucky Smith	Cape May	NJ
Collin & Warren II	Cape May	NJ
Crystal & Rebecca	Cape May	NJ
Crystal Girl	Cape May	NJ
Fishermans Dream A	Cape May	NJ
Fishermans Dream B	Cape May	NJ
Francis Lee	Cape May	NJ
Instigator	Cape May	NJ
Italian Princess	Cape May	NJ
Jersey Girl	Cape May	NJ
John & Nicholas	Cape May	NJ
Karina	Cape May	NJ
Kathy Rose	Cape May	NJ
Lady Lorraine	Cape May	NJ
Lady Roslyn	Cape May	NJ
Leader	Cape May	NJ
Margaret Rose	Cape May	NJ
Master James	Cape May	NJ
Miss Sue Ann	Cape May	NJ
Miss Vertie Mae	Cape May	NJ
My Girl	Cape May	NJ
Nadia Lee	Cape May	NJ
Noreen Marie	Cape May	NJ
Ocean Boy	Cape May	NJ

FISHERIES SURVIVAL FUND PARTICIPANTS

Vessels

VESSEL NAME	HOME PORT TOWN/CITY	STATE
Ocean Gold	Cape May	NJ
Ocean Pride	Cape May	NJ
Ocean Princess	Cape May	NJ
Sea Quest	Cape May	NJ
Silver Sea	Cape May	NJ
Susan L	Cape May	NJ
Susan Marie	Cape May	NJ
Vaud J	Cape May	NJ
Wilma Ilene	Cape May	NJ
Yvonne Michelle	Cape May	NJ
Virginia Lynn	Manahawkin	NJ
Christian & Alexa	Point Pleasant	NJ
Discovery	Point Pleasant	NJ
Atlantic Warrior	Wildwood	NJ
Gipper		NJ
Miz B		NJ
Pretty Lady		NJ
Provider III		NJ
Rayna & Kristen		NJ
Sea Dog		NJ
Snoopy II		NJ
Alexandria Dawn	Montauk	NY
Gabrielle & Paige	Montauk	NY
Tenacious	Montauk	NY
Karen L	Philadelphia	PA
Karen Elizabeth	Point Judith	RI
Yankee Pride	Point Judith	RI
Janice Lynell	Carrollton	VA
Lauren & Matthew	Carrollton	VA
Chrismar	Hampton	VA
Italian Princess VA	Hampton	VA
Abigail & Myles	Newport News	VA
Beachcomber	Newport News	VA
Captain Lyman	Newport News	VA

FISHERIES SURVIVAL FUND PARTICIPANTS

Vessels

VESSEL NAME	HOME PORT TOWN/CITY	STATE
Captain Peabody	Newport News	VA
Ian Nigel	Newport News	VA
Ocean Lady	Newport News	VA
Carolina Boy	Norfolk	VA
Carolina Girl III	Norfolk	VA
Carolina Queen II	Norfolk	VA
Carolina Queen III	Norfolk	VA
Miss Stevie B	Norfolk	VA
Miz Juanita B	Norfolk	VA
Relentless	Norfolk	VA
Stephanie B	Norfolk	VA
Miz Alma B	Seaford	VA
Pursuit VA	Seaford	VA
Chrissy K		
Julliane		
Kennedy & Helen		
Lady Evelyn		
Lucky 13		
Panther		

Businesses

BUSINESS NAME	TOWN / CITY	STATE
Atheam Marine Agency, Inc.	Fairhaven	MA
Fairhaven Ship Yard	Fairhaven	MA
Edie & Maria Boat Settlements	New Bedford	MA
New Bedford Ship Supply	New Bedford	MA
Warrior Fuel Corporation	New Bedford	MA
Whaling City Auction	New Bedford	MA
Viking Village	Barnegat Light	NJ
Peabody Corporation	Newport News	VA

VESSEL OWNERS, CAPTAINS & CREW

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Achosn	Frank	Dartmouth	MA
Cordon	David	Dartmouth	MA
Frias	Glen	Dartmouth	MA
Martin	Scott	Dartmouth	MA
Mello	Gary	Dartmouth	MA
Natale	Duane	Dartmouth	MA
Nielsen	Nolan	Dartmouth	MA
Paiva	Russell	Dartmouth	MA
Santos	Mike	Dartmouth	MA
Simmons	Jason	Dartmouth	MA
Kearney	James	East Freetown	MA
Kearney	Michael	East Freetown	MA
Bruce	Terrance	Fairhaven	MA
Cassidy	Christopher	Fairhaven	MA
Farland	Steven	Fairhaven	MA
Feener	Aaron	Fairhaven	MA
Isabel	Russell	Fairhaven	MA
MacLean	Douglas	Fairhaven	MA
Mello	Peter	Fairhaven	MA
Roberts	Jeffrey	Fairhaven	MA
Santos	Johnathan	Fairhaven	MA
Swain	Jeffrey	Fairhaven	MA
Willett	Michael	Fairhaven	MA
Eilertsen	Derek	Mattapoisett	MA
Hansen	Eric	Mattapoisett	MA
Aiello	John	New Bedford	MA
Amaral	Joseph	New Bedford	MA
Ambrose	Hogan	New Bedford	MA
Ameral	Joseph	New Bedford	MA
Anthony	Peter	New Bedford	MA
Benoit	Robert	New Bedford	MA
Bento	Carlos	New Bedford	MA
Botelho	Chris	New Bedford	MA
Botelho	Steven	New Bedford	MA
Boucher	Dennis	New Bedford	MA

VESSEL OWNERS, CAPTAINS & CREW

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Bowman	Carl	New Bedford	MA
Charron	Danny	New Bedford	MA
Crisanto	Miguel	New Bedford	MA
DaCosta	Joseph	New Bedford	MA
Dauphin	Jamie	New Bedford	MA
Desmaris	Paul	New Bedford	MA
Dunn	Mitchell	New Bedford	MA
Enoksen	Roy	New Bedford	MA
Farland	Pat	New Bedford	MA
Gonsalves	Michael	New Bedford	MA
Griffin	Benjamin	New Bedford	MA
Hamlin	David	New Bedford	MA
Harrington	Steve	New Bedford	MA
Hogan	Ambrose	New Bedford	MA
Ingrande	Chris	New Bedford	MA
Ingrande	Sal	New Bedford	MA
Isensee	Joshua	New Bedford	MA
Kielek	Wlod	New Bedford	MA
Lalli	Charles	New Bedford	MA
Lawrence	Justin	New Bedford	MA
McMullen	Kevin	New Bedford	MA
Mello	Joseph	New Bedford	MA
Palacios	Patricio	New Bedford	MA
Perry	Kevin	New Bedford	MA
Picard	Rick	New Bedford	MA
Pickering	Timothy	New Bedford	MA
Pinto	Vim	New Bedford	MA
Quinn	Michael	New Bedford	MA
Quinn	Timothy	New Bedford	MA
Quinn Jr.	Charles	New Bedford	MA
Quinn, III	Charles	New Bedford	MA
Quintin	Thomas	New Bedford	MA
Ramos	Jason	New Bedford	MA
Rego	James	New Bedford	MA
Rivas	Moises	New Bedford	MA
Ruiz	Carlos	New Bedford	MA

VESSEL OWNERS, CAPTAINS & CREW

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Saunders	Thomas	New Bedford	MA
Savoie	Wilfred	New Bedford	MA
Sharon	Daniel	New Bedford	MA
Shrader	Dylan	New Bedford	MA
Shrader	Ronald	New Bedford	MA
Simmons	Douglas	New Bedford	MA
Simpson	John	New Bedford	MA
Sirois	Louis	New Bedford	MA
Smith	Terrance	New Bedford	MA
Snell	Dave	New Bedford	MA
Souza	Kevin	New Bedford	MA
Souza	Randy	New Bedford	MA
Stewart	Dave	New Bedford	MA
Sturgeon	John	New Bedford	MA
Sylvia	Mike	New Bedford	MA
Tavares	Danny	New Bedford	MA
Tavares	Mariano	New Bedford	MA
Tavares	Mario	New Bedford	MA
Terra	Thomas	New Bedford	MA
Thatcher	Bruce	New Bedford	MA
Theodore	Jeffrey	New Bedford	MA
Vaughan	Paul	New Bedford	MA
Weckesser	Paul	New Bedford	MA
Wiley	Mike	New Bedford	MA
Farrenkopf	Matthew	South Chatham	MA
Ingham	Chad	South Chatham	MA
Turner	Ryan	Aurora	ME
Long	Jarred	Owls Head	ME
Harper	Tim	Southwest Harbor	ME
Long	Justin	Spruce Head	ME
Peterson	Mark	Thomaston	ME
Kaufman	Karl	Union	ME
Oakes	David	Warren	ME
Howell	Christine	Tuckerton	MJ
Jorgenson	Ryan	Westcreek	N.J.
Moore	Dennis	New Bern	NC

VESSEL OWNERS, CAPTAINS & CREW

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Wiscott	Charles	Poplar Branch	NC
Baldwin	Russ	Barnegat Light	NJ
Berardi	Joseph	Barnegat Light	NJ
Blinsinger	Hans	Barnegat Light	NJ
Braddock	Dan	Barnegat Light	NJ
Buttocovla	Chris	Barnegat Light	NJ
Collins	Sean	Barnegat Light	NJ
Conroy	John	Barnegat Light	NJ
D'Alessandro	Mike	Barnegat Light	NJ
Devito	Todd	Barnegat Light	NJ
Diehl	J Adam	Barnegat Light	NJ
Dolan	Peter	Barnegat Light	NJ
Einhorn	Chuck	Barnegat Light	NJ
English	Nick	Barnegat Light	NJ
Francis	Mike	Barnegat Light	NJ
Galvez	Alfredo	Barnegat Light	NJ
Grande	Mike T.	Barnegat Light	NJ
Guriao	Jose	Barnegat Light	NJ
Gutowski	James	Barnegat Light	NJ
Helfrich	Don	Barnegat Light	NJ
Howell	Glenn	Barnegat Light	NJ
Hudson	Eric	Barnegat Light	NJ
Hudson	Jeremy	Barnegat Light	NJ
Jay	Sweeney	Barnegat Light	NJ
Jorgensen	Ryan	Barnegat Light	NJ
Karch	Corey	Barnegat Light	NJ
King	Travis	Barnegat Light	NJ
Kline	Kenneth	Barnegat Light	NJ
Knutso	Dane	Barnegat Light	NJ
Larocca	Chris	Barnegat Light	NJ
Larson	Kirk	Barnegat Light	NJ
Larson	Tyler	Barnegat Light	NJ
Larson Jr.	Kirk	Barnegat Light	NJ
Lewis	Tom	Barnegat Light	NJ
Lloyd	Jon	Barnegat Light	NJ
Piesek	Kevin	Barnegat Light	NJ

VESSEL OWNERS, CAPTAINS & CREW

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Raffa	Charles	Barnegat Light	NJ
Robinson	Louis	Barnegat Light	NJ
Salentino	Joseph	Barnegat Light	NJ
Salon	Paul	Barnegat Light	NJ
Scott	Koji	Barnegat Light	NJ
Setzer	Eric	Barnegat Light	NJ
Smith	Owen	Barnegat Light	NJ
Sprauge	James	Barnegat Light	NJ
Stillwel	JD	Barnegat Light	NJ
Sweeny	Jay	Barnegat Light	NJ
Terrill	Shaughn	Barnegat Light	NJ
Terrill	Travis	Barnegat Light	NJ
Thomas	Josh	Barnegat Light	NJ
Torrell	Nick	Barnegat Light	NJ
Turlish	Kevin	Barnegat Light	NJ
VanBergan	Chris	Barnegat Light	NJ
Varga	Todd	Barnegat Light	NJ
Villinger	Matthew	Barnegat Light	NJ
Wager	Joseph	Barnegat Light	NJ
Walsh	Steven	Barnegat Light	NJ
Wasilewski	William	Barnegat Light	NJ
Watruba	Andrew	Barnegat Light	NJ
Zisa	Brad	Barnegat Light	NJ
Zisa	Brian	Barnegat Light	NJ
Aguilera	Martin	Cape May	NJ
Harris	Jim	Cape May	NJ
Jensen	Arne	Cape May	NJ
Reichle	Wayne	Cape May	NJ
Rose	Benny	Cape May	NJ
Vanaman	Robert	Cape May	NJ
Wiscott	David	Cape May	NJ
Eckert	Edward	Egg Harbor City	NJ
Eckert	Suzanne	Egg Harbor City	NJ
Blauevlt	James	Manahawkin	NJ
Roma	Jeff	Manahawkin	NJ
Roma	Kathy	Manahawkin	NJ

VESSEL OWNERS, CAPTAINS & CREW

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Roma	Ken	Manahawkin	NJ
Smithson	Richard	Millville	NJ
Howell Jr.	Glenn	Tuckerton	NJ
Maxwell	Debra	West Creek	NJ
Maxwell	Robert	West Creek	NJ
MacDonald	Gwyn and Scott	Philadelphia	PA
Dakin	Scott	Moncks Corner	SC
Day	Robert	Moncks Corner	SC
Kaufman	Karl	Moncks Corner	SC
Peabody	William	Carrollton	VA
Peabody	Wilma	Carrollton	VA
Vernon	Peabody	Carrollton	VA
Hott	Shane	Newport News	VA
Peabody	Yvonne	Newport News	VA
Arce	Edgar	Norfolk	VA
Loya	Alredo	Norfolk	VA
Loya	Daniel	Norfolk	VA
Pena	David	Norfolk	VA
Rangel	Cesar	Norfolk	VA
Reyes	Jorge	Norfolk	VA
Vega	Ivan	Norfolk	VA
Arazia	Jose	Seaford	VA
Alberto	Carlos		
Alvernaz	Antonio		
Araija	Juan		
Bicho	Paulo		
Cabanillas, Jr.	Leonardo		
Clark	Robert		
Cordeiro	Jose		
Cornwall	Wayne		
Costeiro	Arlindo		
De Rego	Horacio		
Dives	Jorge		
Dzib	Antonio		
Earhart	Robert		
Florais	Joao		

VESSEL OWNERS, CAPTAINS & CREW

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Garabedian	Jack		
Genovezos	Peter		
Harrington	Ray		
Jannelle	Brian		
Maguire	Charles		
Miranda	Tyler		
Moco	Antonio		
Pine	Joe		
Starvish	Raymond		
Velazquez	Amado		
Vertentes	Leonel		
Vitolo	Marc		
Wong	Luis		

RELATED BUSINESSES

BUSINESS NAME	TOWN / CITY	STATE
Private	San Diego	CA
Empire Fisheries	Milford	CT
F/V Regulus	Milford	CT
Kelley Drye & Warren LLP	Washington	DC
FishNet USA	New Smyrna Beach	FL
LIG Marine Managers	St. Petersburg	FL
Mills Marine	Tampa	FL
Duckworth Steel Boats	Tarpon Springs	FL
Atlantic Coast Seafood	Boston	MA
Boston Seafood Display Auction	Boston	MA
Boston Sword & Tuna	Boston	MA
Fraser Fish Ltd.	Boston	MA
Globe Fish Company	Boston	MA
Ideal Seafood	Boston	MA
Jenson Tuna, Inc.	Boston	MA
John Mantia & Sons Co. Inc.	Boston	MA
Puritan Fish Company, Inc.	Boston	MA
Sea Cap, Inc.	Boston	MA

RELATED BUSINESSES

BUSINESS NAME	TOWN / CITY	STATE
Shackfoods of America	Boston	MA
Sousa Seafood Company	Boston	MA
Tirrell Services	Boston	MA
Segal Associates	Brookline	MA
Brenda Neto Cleaning	Dartmouth	MA
Northwestern Mutual	Dartmouth	MA
Sylvia & Company Insurance Agency, Inc.	Dartmouth	MA
Coonamessett Farm Foundation, Inc	East Falmouth	MA
Jonathan Sprouts Inc.	East Freetown	MA
Total Welding Supply	East Freetown	MA
BankFive	Fair Haven	MA
All Phase Fabrication LLC	Fairhaven	MA
Euro Ship Store, Inc.	Fairhaven	MA
Fairhaven Shipyard	Fairhaven	MA
Harbor Blue Seafood, Inc.	Fairhaven	MA
Harbor Hydraulics & Machine Inc.	Fairhaven	MA
Hear No Evil Fishing Inc.	Fairhaven	MA
Linberg Marine, Inc.	Fairhaven	MA
Solveig's Settlement House	Fairhaven	MA
Raw Seafoods, Inc.	Fall River	MA
Advance Air & Heating, Inc.	Freetown	MA
John W. Gilbert Associates Inc.	Hingham	MA
Steamship Authority	Mashpee	MA
Turk's Seafood	Mattapoisett	MA
A.K. Transport Company Inc.	New Bedford	MA
Acushnet Fish	New Bedford	MA
All Security Co., Inc.	New Bedford	MA
Amaral's Market	New Bedford	MA
American Pride Seafoods	New Bedford	MA
Bergie's Seafood	New Bedford	MA
Bruce's Splicing & Rigging Company, Inc.	New Bedford	MA
C.E. Beckman Company	New Bedford	MA
Chris Electronics Corporation	New Bedford	MA
Cody & Tobin Inc.	New Bedford	MA

RELATED BUSINESSES

BUSINESS NAME	TOWN / CITY	STATE
Crystal Ice Company	New Bedford	MA
Dockside Repairs, Inc.	New Bedford	MA
East Coast Fabrication, Inc.	New Bedford	MA
Eastern Fisheries, Inc.	New Bedford	MA
F/V Diane Marie	New Bedford	MA
F/V Dona Martita	New Bedford	MA
F/V Kathryn Marie	New Bedford	MA
F/V Kris & Amy	New Bedford	MA
F/V North Queen	New Bedford	MA
F/V Stephanie Vaughn	New Bedford	MA
F/V William Lee	New Bedford	MA
Fairhaven Hardware	New Bedford	MA
Fairtide Shellfish	New Bedford	MA
Fish Lumpers Union	New Bedford	MA
Fleet Fisheries	New Bedford	MA
Future Fisheries, Inc.	New Bedford	MA
Hygrade Ocean Products	New Bedford	MA
I.M.P. Fishing Gear	New Bedford	MA
Jardin & Dawson	New Bedford	MA
JG Truck	New Bedford	MA
JT Sea Products, Inc.	New Bedford	MA
Kathy & Jackie Fishing Corp.	New Bedford	MA
Katman Sports	New Bedford	MA
Kruger Brother's Ship & Supply Inc.	New Bedford	MA
Kyler Seafood	New Bedford	MA
Lou-Joe's Fresh Seafood	New Bedford	MA
M&B Sea Products, Inc.	New Bedford	MA
M.F. Foley Company, Inc.	New Bedford	MA
Marder Trawling Inc.	New Bedford	MA
Marine Hydraulics	New Bedford	MA
Maritime International, Inc.	New Bedford	MA
Maritime Terminal	New Bedford	MA
Mass Contracting & Construction	New Bedford	MA
Metro Industrial Supply	New Bedford	MA
New Bedford Harbor Development Commission	New Bedford	MA

RELATED BUSINESSES

BUSINESS NAME	TOWN / CITY	STATE
New Bedford Ice and Cold Storage	New Bedford	MA
New Bedford Office Machine Company	New Bedford	MA
New Bedford Police Department	New Bedford	MA
New Bedford Ship Supply Co., Inc.	New Bedford	MA
New Bedford Welding Supply, Inc.	New Bedford	MA
Nordic Fisheries, Inc.	New Bedford	MA
Northern Wind, Inc.	New Bedford	MA
Ocean's Alive Scallops Corporation	New Bedford	MA
Packaging Products Corporation	New Bedford	MA
Pamela F. Lafreniere, Esq.	New Bedford	MA
Pier Fish Company	New Bedford	MA
Quinn Fisheries	New Bedford	MA
R.A. Mitchell Company, Inc.	New Bedford	MA
RCP Realty, LLC	New Bedford	MA
Sea Fuels Marine Services, Inc.	New Bedford	MA
Seamartech Marine Electronics Inc.	New Bedford	MA
Skip's Marine, Inc.	New Bedford	MA
Smithwick & Mariners Insurance, Inc.	New Bedford	MA
Southeastern Diesel, Inc.	New Bedford	MA
Sovereign Star Fishing Corp.	New Bedford	MA
Stop N Shop	New Bedford	MA
Superior Logos	New Bedford	MA
Tempest Fisheries	New Bedford	MA
TomTronics, Inc.	New Bedford	MA
Wotton Marine Painting	New Bedford	MA
Compass-Fishing	Newburycourt	MA
TD Banknorth	Northampton	MA
Vessel Documentation Service	Plymouth	MA
ICC Engineering	Raynham	MA
Rockland Marine Corporation	Rockland	MA
Northern Edge, Inc.	S. Dartmouth	MA
Atlantic Seapride	South Boston	MA
Cape Quality Seafood	South Dartmouth	MA
Industrial Fleet Service	Sumerset	MA
JMello's Landscaping	Swansea	MA
Global Companies LLC	Waltham	MA

RELATED BUSINESSES

BUSINESS NAME	TOWN / CITY	STATE
Surfaceworx	West Bridgewater	MA
Windward Power Systems	West Wareham	MA
Leading Seafood	Westford	MA
Mid City Steel Company	Westport	MA
Sea-Trek Enterprises	Westport	MA
Hugger Event Management	South Portland	ME
F/V Araho	Spruce Head	ME
Carter's Seafood	Stonington	ME
Milton Cat Power Systems		ME
Steel Hill Resorts	Laconia	NH
Blue Water Fisherman's Association	Salem	NH
Baby Grand Inc.	Barnegat Light	NJ
Bayview Marina	Barnegat Light	NJ
Borough of Barnegat Light, NJ	Barnegat Light	NJ
By the Beach Events	Barnegat Light	NJ
Gale Force Fabrications	Barnegat Light	NJ
How You Brewin	Barnegat Light	NJ
Marina Supplies, LLC	Barnegat Light	NJ
Northstar Diesel Repair, LLC	Barnegat Light	NJ
Nu-Wave-Seafood Consultants, LLC	Barnegat Light	NJ
Poppy's Ice Cream Parlour	Barnegat Light	NJ
Puskas Marine Electronics	Barnegat Light	NJ
Sea Shore Times	Barnegat Light	NJ
T. Pimm Mobile Marine, LLC	Barnegat Light	NJ
The Seawife	Barnegat Light	NJ
Viking Marine Supply	Barnegat Light	NJ
Viking Outfitters	Barnegat Light	NJ
Viking Village, Inc.	Barnegat Light	NJ
Whitestar Inc.	Barnegat Light	NJ
Wink	Barnegat Light	NJ
The Boat House Restaurant, Inc.	Beach Haven	NJ
A&E Fisheries, Inc.	Cape May	NJ
Atlantic Shellfish, Inc.	Cape May	NJ
Cape May Ice Company	Cape May	NJ
F/V Abracadabra	Cape May	NJ
F/V Elise G	Cape May	NJ

RELATED BUSINESSES

BUSINESS NAME	TOWN / CITY	STATE
F/V Galicia	Cape May	NJ
F/V Gulfstream	Cape May	NJ
F/V Jersey Cape	Cape May	NJ
F/V Miss Taylor	Cape May	NJ
F/V Odyssey	Cape May	NJ
F/V Starbrite	Cape May	NJ
F/V Western Explorer	Cape May	NJ
Lund's Fisheries, Inc.	Cape May	NJ
Sea Gear Marine Supply	Cape May	NJ
Wiftek	Cape May	NJ
Discovery Seafood Inc.	Cedar Run	NJ
Mid Atlantic Engine Supply Company	Cinnaminson	NJ
DFH Environmental, Inc.	Dover	NJ
Fidelity Paper & Supply Corp.	East Hanover	NJ
Rastelli Seafood, LLC	Egg Harbor City	NJ
Lusty Lobster Inc.	Highlands	NJ
F/V Annice Marie	Little Egg Harbor	NJ
Amp. Co Starters & Alternators	Manahawkin	NJ
F/V Grand Larson	Manahawkin	NJ
Offshore Welding	Manahawkin	NJ
Southern Clam Company	North Cape May	NJ
Airline Hydraulics	Ocean View	NJ
Fyr-Fyter Sales & Service	Pennington	NJ
Fishermen's Dock Cooperative, Inc.	Pt. Pleasant	NJ
Laurelton Welding Service	Pt. Pleasant	NJ
Grace Energy	Rio Grande	NJ
Beach Haven Automotive, Inc.	Ship Bottom	NJ
RE/MAX of Long Beach Island	Ship Bottom	NJ
Koerner, Koerner, Galati & Oriel, P.A.	Toms River	NJ
Point Bay Fuel Company, Inc.	Toms River	NJ
Jersey Diesel LLC	Tuckahoe	NJ
Yank Marine Inc.	Tuckahoe	NJ
Yank Marine Services LLC	Tuckahoe	NJ
F/V Donna Lynn	Union Beach	NJ
Marine Safety Corporation	Wall	NJ
F/V Top Dog	West Creek	NJ

RELATED BUSINESSES

BUSINESS NAME	TOWN / CITY	STATE
Miss Halie LLC	West Creek	NJ
Dock Street Seafood	Wildwood	NJ
JMT Consulting Associates	Wildwood Crest	NJ
Blue Bay Sea Products/Blue Water Distributors	Bohemia	NY
Inlet Seafood dock and restaurant	Montauk	NY
Long Island Commercial Fishing Association	Montauk	NY
Garpo Marine Services	Staten Island	NY
Euclid Fish Company	Mentor	OH
E. Frank Hopkins Co., Inc.	Philadelphia	PA
Sea-Trek Enterprises	East Greenwich	RI
Ocean Point Insurance Agency	Middletown	RI
Promet Marine	Providence	RI
Tony's Seafood	Warren	RI
Ocean Marine Insurance Agency, Inc.	Warwick	RI
F/V Janice Lynell	Carrollton	VA
Fulcher Fabrication & Welding LLC	Hampton	VA
Peninsula Diesel & Marine, Inc.	Hampton	VA
Smith Marine Electronics Inc.	Hampton	VA
Wells Maintenance	Hampton	VA
Chesapeake Bay Packing, L.L.C.	Newport News	VA
Peabody Corporation	Newport News	VA
Riverside Paper Supply Company	Newport News	VA
Brown & Brown Insurance / Flagship Group	Norfolk	VA
MDP Marine Insurance, LLC	Norfolk	VA
F/V Captain Billy Haver	Seaford	VA
F/V Pursuit	Seaford	VA
Seaford Marine Supply	Seaford	VA
Seaford Scallop Company	Seaford	VA
Wells Ice & Cold Storage	Seaford	VA
Carded Graphics, LLC	Staunton	VA
The B Corporation		VA
Virginia Venture Corporation		VA
A&M Fisheries		
AI Asphalt		

RELATED BUSINESSES

BUSINESS NAME	TOWN / CITY	STATE
A-Line Co.		
American Son Funds		
Athem		
Carolina Dream, Inc.		
EMS		
F/V C. Copes		
F/V Corshir		
F/V ESS Pride		
F/V Kim Ann		
F/V Luso Amerian I		
F/V Santa Queen		
F/V Sao Jacinto		
Fitzgerald Marine		
Guard Enterprises		
Jim B. Howard Marine Diesel Service		
Lighthouse Marine		
Litehouse Marine		
Mad Fish, Inc. F/V Lydia & Maya, Inc.		
Messier's Engineering		
NBPS		
NCR Corporation		
Ocean Wave		
Olde North Wharf Fish		
Quality Custom Packing		
Southern Fire		
Superior Lobster		
TJ Scallop Bags		
Trobon Seafood		

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Richardson	Winston	San Diego	CA
Poffenberger	Joanne	Milford	CT
Frulla	David	Washington	DC
Gehan	Shaun	Washington	DC
Minkiewicz	Andrew	Washington	DC
Roy	Michelle	Washington	DC
Stolpe	Nils	New Smyrna Beach	FL
Greenway	Ian	St. Petersburg	FL
Costa	Alejandro	Tarpon Springs	FL
Duckworth	J.R.	Tarpon Springs	FL
Duckworth	Jake	Tarpon Springs	FL
Duckworth	Joel	Tarpon Springs	FL
Ericson	Wallace	Tarpon Springs	FL
Harloff	Roger	Tarpon Springs	FL
McDougall	Lavern	Tarpon Springs	FL
McDougall	R.M.	Tarpon Springs	FL
Bramante	Tory	Boston	MA
Delaney	Tina	Boston	MA
Foote	James	Boston	MA
Fraser	Paul	Boston	MA
Johnson	Denniston	Boston	MA
Mantia	Anthony	Boston	MA
Mantia	Jason	Boston	MA
Patania Jr.	Salvatore	Boston	MA
Scola	Paul	Boston	MA
Sousa	Michael	Boston	MA
Tirrell	Jeffrey	Boston	MA
Vitale	Mike	Boston	MA
Pimental	Lenny	Boston	MA
Yaseen	Martin	Brookline	MA
Armstrong	Maureen	Dartmouth	MA
Britto	Carlos	Dartmouth	MA
Britto	Gary	Dartmouth	MA
Neto	Brenda	Dartmouth	MA
Neto	Sarah	Dartmouth	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Smolowitz	Ronald	East Falmouth	MA
Ferguson	Dale	East Freetown	MA
Macedo	Paul	East Freetown	MA
Sanderson	Bob	East Freetown	MA
Motta	Lynn	Fair Haven	MA
Bergson	Gene	Fairhaven	MA
Boehmer	Kristen	Fairhaven	MA
Daniels	William	Fairhaven	MA
Farland	Steven	Fairhaven	MA
Figueiredo	Joseph	Fairhaven	MA
Isabel	Russell	Fairhaven	MA
Isaksen	Gail	Fairhaven	MA
Linberg	Jeffrey	Fairhaven	MA
Long, Jr.	A. Nelson	Fairhaven	MA
MacLean	Douglas	Fairhaven	MA
Mello	Peter	Fairhaven	MA
Moran, Jr.	John	Fairhaven	MA
Orman	Marjorie	Fairhaven	MA
Riley	Dana	Fairhaven	MA
Rocha	William	Fairhaven	MA
Santos	Johnathan	Fairhaven	MA
Willett	Michael	Fairhaven	MA
Martin, Jr.	Randall	Fairhaven	MA
Ulrichsen	Jens	Fairhaven	MA
Ulrichsen	Petter	Fairhaven	MA
Ulrichson	John Peter	Fairhaven	MA
Hutchens	Scott	Fall River	MA
Shrader	Deb	Farihaven	MA
Barcoa	Rob	Freetown	MA
Mello	Kevin	Freetown	MA
Gilbert	John	Hingham	MA
Gilbert Jr.	John	Hingham	MA
Gilligan	Gerald	Hingham	MA
Sylvia Jr.	Robert	Mashpee	MA
Glavin	Mark	Maspee	MA
Barboza	Robert	Mattapoissett	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Borges	Joseph	Mattapoisett	MA
Crovello	Jane	Mattapoisett	MA
Duquette	Aaron	Mattapoisett	MA
Duquette	Craig	Mattapoisett	MA
Herveman	Christine	Mattapoisett	MA
LeBlanc	Jaime	Mattapoisett	MA
Pasquill	Judith	Mattapoisett	MA
Pasquill	Richard	Mattapoisett	MA
Rocha	Jennifer	Mattapoisett	MA
Therrien	Danielle	Mattapoisett	MA
Hampson	Kevin	Milford	MA
Achorn III	Carlos	New Bedford	MA
Aguilera	Santos	New Bedford	MA
Almeida	Paula	New Bedford	MA
Almeida	Mike	New Bedford	MA
Andrades	Josefina	New Bedford	MA
Anthony	Paul	New Bedford	MA
Antonio	Edmund	New Bedford	MA
Aubery	David	New Bedford	MA
Bailie	Joseph	New Bedford	MA
Barlow	Klara	New Bedford	MA
Barlow	William	New Bedford	MA
Barrows	Douglas	New Bedford	MA
Barry	Michael	New Bedford	MA
Bastoni	Tom	New Bedford	MA
Beckman	Carl	New Bedford	MA
Beltran	Alejandro	New Bedford	MA
Bendiksen	Gary	New Bedford	MA
Bergeron	Marc	New Bedford	MA
Bisailon	Scott	New Bedford	MA
Boucher	Beau	New Bedford	MA
Bowers	Robert	New Bedford	MA
Brennan	Michael	New Bedford	MA
Brienzo	Joel	New Bedford	MA
Brightman	Josh	New Bedford	MA
Brude	Dennis	New Bedford	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Buzzell	Gordon	New Bedford	MA
Canastra	Richard	New Bedford	MA
Cardin	Scott	New Bedford	MA
Cardoso	Irene	New Bedford	MA
Carl	Beckman	New Bedford	MA
Carlsen	Eric	New Bedford	MA
Carranza	Denis	New Bedford	MA
Carranza	Sifrodo	New Bedford	MA
Chambers	David	New Bedford	MA
Chandler	Michael	New Bedford	MA
Chandler, Jr.	Robert	New Bedford	MA
Charbonneau	Maureen	New Bedford	MA
Christen	Wayne	New Bedford	MA
Conley	Charles	New Bedford	MA
Cook	Jeffery	New Bedford	MA
Cook	Robert	New Bedford	MA
Cosme	Paul	New Bedford	MA
Costa	Robert	New Bedford	MA
DaCosta	Antonio	New Bedford	MA
De Sorsa	Vasco	New Bedford	MA
Dearaujo	Anthony	New Bedford	MA
Debrosse	Edmond	New Bedford	MA
Delson	Tomas	New Bedford	MA
DeMello	Jennifer	New Bedford	MA
Desrosiers	Dennis	New Bedford	MA
Diggle	Andrew	New Bedford	MA
Duclos	Chris	New Bedford	MA
Elsner	Jay	New Bedford	MA
Enoksen	Ronald	New Bedford	MA
Fels	Robert	New Bedford	MA
Fernandes	Edwin	New Bedford	MA
Fernandes	Manny	New Bedford	MA
Ferreira	Paul	New Bedford	MA
Ferreira	Rico	New Bedford	MA
Figueiredo	Tony	New Bedford	MA
Fraugui	Amildia	New Bedford	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Froh	Michael	New Bedford	MA
Furtado	Joseph	New Bedford	MA
Galary	Roy	New Bedford	MA
Garcia	Jose	New Bedford	MA
Garcia	Mario	New Bedford	MA
Genard	Desiree	New Bedford	MA
Gilbert	Mike	New Bedford	MA
Goyveis	John	New Bedford	MA
Griswald	William	New Bedford	MA
Harrington	David	New Bedford	MA
Harrington, Jr.	Edmund	New Bedford	MA
Harrington, Sr.	Edmund	New Bedford	MA
Hart	William	New Bedford	MA
Heleen	Peter	New Bedford	MA
Heywood	Andrew	New Bedford	MA
Hicks	Rob	New Bedford	MA
Holden	Peter	New Bedford	MA
Hughes	Pat	New Bedford	MA
Jan	Paul	New Bedford	MA
Johnson	Danny	New Bedford	MA
Johnson	Willie	New Bedford	MA
Joly	Paul	New Bedford	MA
Kavanaugh	Lawrence	New Bedford	MA
Kerzem	David	New Bedford	MA
Kruger	Thomas	New Bedford	MA
Labelle	Elaine	New Bedford	MA
Lafreniere	Pamela	New Bedford	MA
Lambert	James	New Bedford	MA
Lareau	Patricia	New Bedford	MA
Lazaro	Domingo	New Bedford	MA
Ledoux	Kris	New Bedford	MA
Lenling	Timothy	New Bedford	MA
Lerias	Carmina	New Bedford	MA
Liarikos	John	New Bedford	MA
Lopez	Juan	New Bedford	MA
Magalhaes	Steven	New Bedford	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Medeiros	Christopher	New Bedford	MA
Medeiros	Jeffrey	New Bedford	MA
Medeiros	Steven	New Bedford	MA
Mendoza	Efrain	New Bedford	MA
Mitchell	Sheila	New Bedford	MA
Moco	Fernanda	New Bedford	MA
Moyer	Fred	New Bedford	MA
Murray	John	New Bedford	MA
Murrin	Larry	New Bedford	MA
Neves	Paul	New Bedford	MA
Perry	Michael	New Bedford	MA
Petersen	Julie	New Bedford	MA
Peterson	Pamela	New Bedford	MA
Poineau	Gerald	New Bedford	MA
Poineu	Lynn	New Bedford	MA
Popovic	Nada	New Bedford	MA
Quezada	Yuleidy	New Bedford	MA
Ramsden	Peter	New Bedford	MA
Rapoza	Kelly	New Bedford	MA
Reardon	John	New Bedford	MA
Reed	Joel	New Bedford	MA
Reis	Mark	New Bedford	MA
Rita	Carlos	New Bedford	MA
Rizzo	Robert	New Bedford	MA
Rocha	Kevin	New Bedford	MA
Rocha	Michele	New Bedford	MA
Rogers	Brenda	New Bedford	MA
Rolston	David	New Bedford	MA
Rounseville	Joshua	New Bedford	MA
Sam	Augusto	New Bedford	MA
Sam	German	New Bedford	MA
Santos	Carlos	New Bedford	MA
Shrader	Ronnie	New Bedford	MA
Simmons	Sgt. Jill	New Bedford	MA
Slaughter	Thomas	New Bedford	MA
Smithwick	Scott	New Bedford	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Sousa	Tammy	New Bedford	MA
Souza	Bryant	New Bedford	MA
Sperry	Jen	New Bedford	MA
Sullivan	Davis	New Bedford	MA
Sylvia	Joseph	New Bedford	MA
Tapper	Frank	New Bedford	MA
Tapper	Robert	New Bedford	MA
Tarnowski	Louis	New Bedford	MA
Tchauz	Sue	New Bedford	MA
Tchorz	Diane	New Bedford	MA
Tchorz	Vhen	New Bedford	MA
Thorpe	Everett	New Bedford	MA
Thuestad	Jakob	New Bedford	MA
Tino	Miguel	New Bedford	MA
Tix	Jose	New Bedford	MA
Tix	Maria	New Bedford	MA
Tobin	Karen	New Bedford	MA
Tobin	Monica	New Bedford	MA
Tobin	Paul	New Bedford	MA
Tweedy	Ed	New Bedford	MA
Vaughan	Crystal	New Bedford	MA
Weckesser	Leslie	New Bedford	MA
Wesoly	Paul	New Bedford	MA
Williams	John	New Bedford	MA
Williams	Robert	New Bedford	MA
Wotton	Melvin	New Bedford	MA
Xavier	Steve	New Bedford	MA
Young	Steve	New Bedford	MA
Amaral	Lisa	New Bedford	MA
Arruda	Ken	New Bedford	MA
Arruda	William	New Bedford	MA
Avila	James	New Bedford	MA
Barrett	Timothy	New Bedford	MA
Botelho	Wayne	New Bedford	MA
Caoral	Debra	New Bedford	MA
Carvalho	Vera	New Bedford	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Cboys	Robert	New Bedford	MA
Chadwick	Gerald	New Bedford	MA
Connor	Christina	New Bedford	MA
Cook	Mike	New Bedford	MA
Coute	Joan	New Bedford	MA
De Barros	Jodo	New Bedford	MA
Demers	Julie	New Bedford	MA
Di Cienzo	Patricia	New Bedford	MA
Dills	Russel	New Bedford	MA
Dorego	Eusebio	New Bedford	MA
Drouin	Ray	New Bedford	MA
Duyer	James	New Bedford	MA
Dwyer Sr.	James	New Bedford	MA
Fernandes	Michael	New Bedford	MA
Ferrerin	David	New Bedford	MA
Hart	William	New Bedford	MA
Heidenreich	Ted	New Bedford	MA
Howland	Dennis	New Bedford	MA
Jardin	Robert	New Bedford	MA
Joanson	Martin	New Bedford	MA
Johnson	Mike	New Bedford	MA
Kennedy	Cecile	New Bedford	MA
Lane	Paul	New Bedford	MA
Loiacono	Catherine	New Bedford	MA
Lopes	Jim	New Bedford	MA
Magalhaes	Alexio	New Bedford	MA
Manchester	Ken	New Bedford	MA
Marino	Rick	New Bedford	MA
Martins	Luis	New Bedford	MA
Melanson	Kenneth	New Bedford	MA
Mello	Marta	New Bedford	MA
Miramda	Kevin	New Bedford	MA
Monterio	Antonio	New Bedford	MA
Morrison	Jim	New Bedford	MA
Nunes	Chris	New Bedford	MA
Nunes	Pedro	New Bedford	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Orman	Erik	New Bedford	MA
Pacheco	Christina	New Bedford	MA
Parker	Caroline	New Bedford	MA
Parker	Walter	New Bedford	MA
Perkins	Joseph	New Bedford	MA
Perry	Rosemary	New Bedford	MA
Rego	Paul	New Bedford	MA
Rocha	Kevin	New Bedford	MA
Rodericks	James	New Bedford	MA
Sampson	Chelsea	New Bedford	MA
Santos	James	New Bedford	MA
Santos	Tony	New Bedford	MA
Sepuka	Leon	New Bedford	MA
Shinn	Herrick	New Bedford	MA
Silus	Iiago	New Bedford	MA
Smithwick	Reginald	New Bedford	MA
Sousa	Tony	New Bedford	MA
Stanley III	Norval	New Bedford	MA
Thompson	James	New Bedford	MA
Violissi	Chuck	New Bedford	MA
Vitorino	Justin	New Bedford	MA
Walte	Lisa	New Bedford	MA
Welch	Cliff	New Bedford	MA
Whiting	Jennifer	New Bedford	MA
Wotton	Moreen	New Bedford	MA
Starvish	Ray	Newburycourt	MA
Kelleher	Timothy	Northampton	MA
Davis	Jason	Plymouth	MA
Davis	Walter	Plymouth	MA
Bacis	James	Raynham	MA
Holmes	Perry	Rockland	MA
Blanchard	Jay	S. Dartmouth	MA
Pereira	Mike	Somerset	MA
Mello	Joshua	Swansea	MA
Wong	Marjorie	Waltham	MA
Ellis	Mark	West Bridgewater	MA

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Tynan	James	West Wareham	MA
Tynan	Nathen	West Wareham	MA
Maitiville	Bill	Westford	MA
Gitlin	Louis	Westport	MA
Sullivan	Kenneth	Westport	MA
Hugger	Ted	South Portland	ME
Carter	Bradley	Stonington	ME
Tuttle	Stewart		ME
Cutillo	Bill	Laconia	NH
Ruais	Richard	Salem	NH
Blinsinger	Curt	Barnegat Light	NJ
Brown	Robert	Barnegat Light	NJ
Gallimore	Kelly	Barnegat Light	NJ
Larson	Lindsay	Barnegat Light	NJ
Larson	Pamela	Barnegat Light	NJ
Malay	Lori	Barnegat Light	NJ
Morris	Linda	Barnegat Light	NJ
Panacek	Ernest	Barnegat Light	NJ
Pimm	Tom	Barnegat Light	NJ
Puskas	John	Barnegat Light	NJ
Selover	John	Barnegat Light	NJ
Sprague	Christopher	Barnegat Light	NJ
Vogt	Kim	Barnegat Light	NJ
Vogt	Kimberly	Barnegat Light	NJ
Voss	Fred	Barnegat Light	NJ
Walsh	Laurence	Barnegat Light	NJ
Baldino	Anthony	Beach Haven	NJ
Alexander	Warren	Cape May	NJ
Aponte	Juan	Cape May	NJ
Atkinson	Bill	Cape May	NJ
Babore	Andy	Cape May	NJ
Baker	Jason	Cape May	NJ
Barto	Bruce	Cape May	NJ
Barto	Chuck	Cape May	NJ
Barto	Sean	Cape May	NJ
Bautista	Victor	Cape May	NJ

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Brand	David	Cape May	NJ
Brooks	Amber	Cape May	NJ
Brooks	Brandi	Cape May	NJ
Brooks	Kathleen	Cape May	NJ
Brooks	Matthew	Cape May	NJ
Brooks	Nicole	Cape May	NJ
Byrne Jr	Michael	Cape May	NJ
Cantu	Sinthia	Cape May	NJ
Carmona	Jorge	Cape May	NJ
Castro	Viviana	Cape May	NJ
Checchio	Kathleen	Cape May	NJ
Cruz	Josue	Cape May	NJ
Davis	Mike	Cape May	NJ
Diaz	Odalis	Cape May	NJ
Dowe	Dennis	Cape May	NJ
Dowe	Francis	Cape May	NJ
Feliciano	Luiz	Cape May	NJ
Galesnik	Valentin	Cape May	NJ
Givens	Johnathon	Cape May	NJ
Gomez	Vicente	Cape May	NJ
Gonzalez	Alexis	Cape May	NJ
Gonzalez	Manuel	Cape May	NJ
Gracia	Lou	Cape May	NJ
Grier	William	Cape May	NJ
Haynes	Charlie	Cape May	NJ
Hoerner	Peter	Cape May	NJ
Hruska	John	Cape May	NJ
Jimenez	Alberto	Cape May	NJ
Jorgenson	David	Cape May	NJ
Jose	Miguel	Cape May	NJ
Josh	Baker	Cape May	NJ
Karmels	John	Cape May	NJ
Marko	Timothy	Cape May	NJ
Martinez	Estabon	Cape May	NJ
Miatselitsa	Ihar	Cape May	NJ
Milano	Joseph	Cape May	NJ

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Morales	Marco	Cape May	NJ
O'Kane	Angela	Cape May	NJ
Perez	Hilavio	Cape May	NJ
Peyton	Aaron	Cape May	NJ
Reichle	Wayne	Cape May	NJ
Rivera	Adan	Cape May	NJ
Rivera	Jose	Cape May	NJ
Rivera	Omar	Cape May	NJ
Salas	Marcelino	Cape May	NJ
Salvatico	Jose	Cape May	NJ
Sanchez	Armando	Cape May	NJ
Sanchez	Juan	Cape May	NJ
Santiago	Christian	Cape May	NJ
Schaefer	Robert	Cape May	NJ
Snyder	Scott	Cape May	NJ
Statzell	Erik	Cape May	NJ
Sue	Hruska	Cape May	NJ
Torres	Sergio	Cape May	NJ
Tribbett	Dawaun	Cape May	NJ
Vanaman	Paula	Cape May	NJ
Villalobos	Gaudalupe	Cape May	NJ
Villalobos	Rene	Cape May	NJ
Weiser	Bill	Cape May	NJ
Workman	Phil	Cape May	NJ
Ghigliotty	Phillip	Cedar Run	NJ
Trinka	Randy	Cedar Run	NJ
Cook	Chuck	Cinnaminson	NJ
Hoffman	David	Dover	NJ
Guariglia	David	East Hanover	NJ
Miller	Lindsay	East Hanover	NJ
Savini	Paul	Egg Harbor City	NJ
Douty	Doug	Highlands	NJ
Rainone	Christopher	Little Egg Harbor	NJ
Frager	Jeff	Manahawkin	NJ
Vreeland	Ronald	Manahawkin	NJ
Becica	Kevin	North Cape May	NJ

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Becica	Thomas	North Cape May	NJ
Brooks	Edward	North Cape May	NJ
Cardozo	Francisco	North Cape May	NJ
Delgado	Nelson	North Cape May	NJ
Flora	Valdemar	North Cape May	NJ
Oliveira	Alex	North Cape May	NJ
Oliveira	Jose	North Cape May	NJ
Rodriguez	Carlos	North Cape May	NJ
Smith	Michael	North Cape May	NJ
Zacarias	Alfonso	North Cape May	NJ
Keppel	Bernie	Ocean View	NJ
Chiarello	Bruce	Pennington	NJ
Crane	Russ	Pt. Pleasant Beach	NJ
Del Corio	Mary	Rio Grande	NJ
Bergin	Kevin	Ship Bottom	NJ
Cook	Ellen	Ship Bottom	NJ
Oriel	Arthur	Toms River	NJ
Bergin	Timothy	Toms River	NJ
Dowe	Minnie	Townbank	NJ
Yank	Bette Jean	Tuckahoe	NJ
Yank	Bette Jean	Tuckahoe	NJ
Yank, Jr.	John	Tuckahoe	NJ
Diehl	Roy	Union Beach	NJ
Obrien	Mike	Wall	NJ
Maxwell	Robert	West Creek	NJ
Hoff	Richard	Wildwood	NJ
Tirello	John	Wildwood Crest	NJ
Grucci	Joseph	Bohemia	NY
Brady	Bonnie	Montauk	NY
Roma	Eleanor	Staten Island	NY
Bartosic	Michael	Mentor	OH
Buckley	Hugh	Philadelphia	PA
Coop	Peter	East Greenwich	RI
Sarnoff	Mitchell	East Greenwich	RI
Snoeren	Pieter	East Greenwich	RI
Weaver	Jeff	East Greenwich	RI

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Colella	Pete	Middletown	RI
Bellamy	Joe	Providence	RI
Braga	Chris	Providence	RI
Cohen	Joel	Providence	RI
Cohen	Michael	Providence	RI
Hennebury	Ray	Providence	RI
Pedro	Jason	Warren	RI
Scola	Bill	Warwick	RI
Peabody	Frankie	Carrollton	VA
Cornellius	Robert	Hampton	VA
Fulcher	Elizabeth	Hampton	VA
Fulcher	Gregory	Hampton	VA
Gallardo	Juan Antonio	Hampton	VA
Haver	William	Hampton	VA
Jacobsen	Christopher	Hampton	VA
Lee	Devin	Hampton	VA
Sauls	James	Hampton	VA
White	Jeff	Hampton	VA
Beagle	Scott	Newport News	VA
Hill	J.P.	Newport News	VA
Vincent	George	Newport News	VA
Devnew	Jack	Norfolk	VA
Kelly	Crystal	Norfolk	VA
Barron	Felix	Seaford	VA
Burgs	Jay	Seaford	VA
Giambuto	Justin	Seaford	VA
Massiu	Charles	Seaford	VA
Payne	Kenneth	Seaford	VA
Sebano	Zenon	Seaford	VA
Wells	William	Seaford	VA
Bayer	Gregory	Staunton	VA
Abrams	Robert		
Bailey	Becky		
Benavidez	Christopher		
Benavidez	Ramiro		
Benavidez	Robert		

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Benoit	Randy		
Bergson	Gene		
Besse	Phil		
Borden	George		
Brady	Helen		
Braz	Shawn		
Calvao	Adriez		
Calvao	Joe		
Chase	Brandon		
Dias	Andrea		
Dixon	Robert		
Fitzgerald	John		
Fletcher	Cameron		
Gabaviccas	Julio		
Guard	Tom		
Howard	Jim		
Kartenir	Russ		
Macedo	Carlos		
Manny	Brian		
Messier	Gay		
Morris	Edward		
Odlin	Amanda		
Orego	David		
Parker Jr.	John		
Pina	Jorge		
Rafael	Carlos		
Rencurrall	Andrew		
Rocha	Michael		
Rocha	Richard		
Roche	Brian		
Saluti	Dennis		
Simmons	Kenneth		
Smith	John		
Soy	Kim		
St. Onge	Paula		
St. Onge	Will		

Jane Lubchenco, Ph.D.
NOAA Administrator and Under Secretary of Commerce
December 18, 2009
Page 39

EMPLOYEES OF RELATED BUSINESSES

LAST NAME	FIRST NAME	TOWN / CITY	STATE
Tehorz	Steve		
Therrien	Ted		
Veit	Erwin		
VenCammen	Ken		
Verduzco	Omar		
Westgate	Charles		

Congress of the United States
Washington, DC 20515

December 15, 2009

The Honorable Gary Locke
Secretary
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230



Dear Secretary Locke:

We are writing to express our extreme disappointment in the New England Fishery Management Council's (Council) recent decision to significantly reduce fishing days at sea (DAS) for the Atlantic sea scallop fishery during the 2010 fishing year. The Council proposal for Framework 21 to the Atlantic scallop fishery management plan fell well below the recommendation of Council's Scientific and Statistical Committee (SSC) for long-term Acceptable Biological Catch. In fact, the Council did have the option of choosing another proposal, supported by industry, which was consistent with the scientific advice from both the SSC and the Council's Scallop Plan Development Team (PDT). However, the Council failed to do so.

Therefore, we are writing to ask that you take immediate action instructing the New England Fishery Management Council to revisit the original proposals for Framework 21 at its upcoming meeting in January so the full Council may consider the recommendations of both the Council's PDT and SSC.

The Council's proposal now under consideration by the National Marine Fisheries Service, if implemented, would reduce the scallop catch by nearly 6 million pounds from the industry supported proposal, with an estimated loss of 40 million dollars in direct revenues. When taking into account the financial impact of the lost fuel, supplies, processing and retail sales, the losses are expected to exceed \$200 million dollars.

In a recent letter to the National Marine Fisheries Service from the Massachusetts Division of Marine Fisheries written December 2, 2009, which we have enclosed for your review, Director Paul Diodati references the Council summary of the PDT meeting where it was noted that the SSC had supported a mortality level (F level) of 0.24 for the 2010 fishing year. This level of fishing would have allowed for the catch of 47 million pounds of scallops and allowed up to 38 fishing days as supported by the industry instead of the Council's approved reduction to 29 DAS. This is still very conservative given that the SSC reported that there was only a 25% chance of overfishing with an F of 0.29 in 2010 equal to a harvest of 65 million pounds of scallops (23 Sept 2009 letter from the SSC to the NEFMC).

cc: CSK, Council (12/2)

It was upsetting to read Mr. Diodati's comment that "The SSC/PDT probability of over fishing with corresponding 2010 Fs and yield never was brought forward by the Scallop Committee at the November Council meeting. In fact, the Committee had nothing to offer on this critical issue. I believe this omission played a key role in the Council adopting an F of 0.20 with all its attendant consequences." This statement is most significant when you consider that Mr. Diodati's appointee to the Council is a voting member who felt he was not appropriately informed of this critical scientific information.

The absence of any presentation to the full Council by the Scallop Committee of the scientific recommendations of the SSC and PDT is a significant omission and warrants serious review, as I am sure you will agree, given the expectant economic losses that would result from such an unnecessarily conservative proposal.

As you know, fishery managers are supposed to take into account the scientific recommendations of the SSC in order to make informed decisions on allocation of fishery resources. However, in this instance, that clearly was not the case. It is also clear that economic impacts are not seriously considered when more conservative fishing proposals are implemented over less onerous ones despite the fact that they also meet the standards of acceptable fishing by the SSC. While the National Marine Fisheries Service representative to the Council claimed the F of 0.20 option would provide long-term benefits, in actuality, Council analyses showed the scallop industry would sacrifice approximately 6 million pounds of scallop landings in 2010, in order to gain about 4 million pounds of scallops in total over the six-year period, 2010-16.

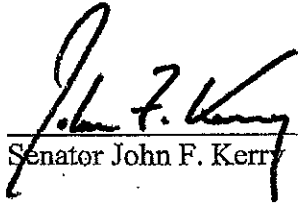
Finally, Framework 21 would reduce access area trips from 5 to 4 in order to reduce fishing effort in the mid-Atlantic waters. However, we feel that consideration should be given to allowing a fifth access area trip to the underutilized Georges Bank access areas in 2010, as well as the opening of the Northern Edge of Georges Bank Groundfish Closed Area II. The most recent fine scale surveys have shown eighty million pounds of harvestable scallops in these areas and to our knowledge the Agency has not done any recent closed area analysis to determine if these closures are even justified at this point in time.

In a time when there is high unemployment and financial hardship for many, it is incumbent upon our government to support its domestic industries to the fullest extent possible. The scallop industry has proven time and again that they are willing to make sacrifices in order to support the long-term health of this vital resource. They have allowed resource set asides for critical research, participated cooperatively with government and University scientists, and actively participated in the management process.

Therefore, we again ask that you direct the Council to reconsider its proposal for the 2010 fishing year while ensuring that each and every Council member is fully informed of the scientific recommendations of the SSC and PDT. We also ask that you consider the opening of underutilized scallop fishing grounds to mitigate reduced open area fishing and target abundant and harvestable scallop resource. If the Council is not able to revisit

its decision, then we would request that you take action to ensure an appropriate outcome. Thank you for your time and consideration. We look forward to your response.

Sincerely,



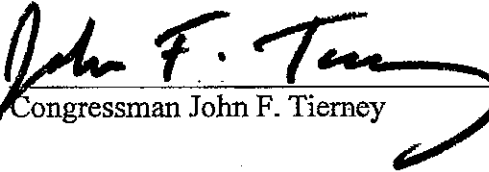
Senator John F. Kerry



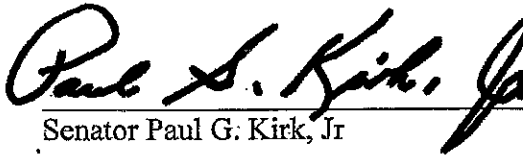
Congressman Barney Frank



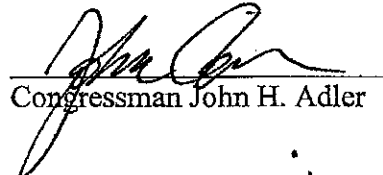
Senator Charles E. Schumer



Congressman John F. Tierney



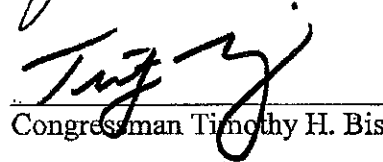
Senator Paul G. Kirk, Jr



Congressman John H. Adler



Senator Kirsten E. Gillibrand



Congressman Timothy H. Bishop



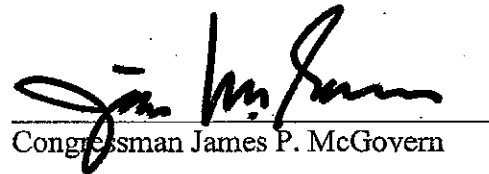
Senator Jeanne Shaheen



Congressman Michael E. Capuano



Congressman Joe Courtney



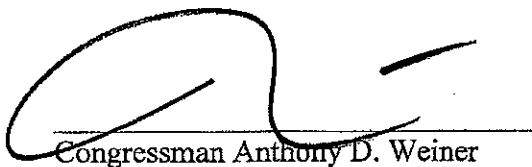
Congressman James P. McGovern



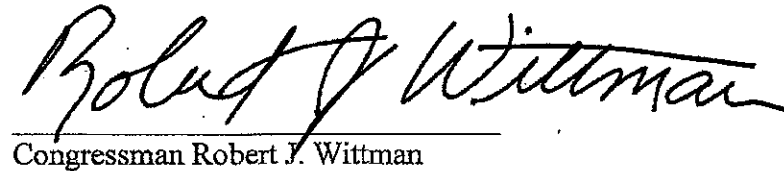
Congressman Walter B. Jones



Congressman Frank A. LoBiondo



Congressman Anthony D. Weiner



Congressman Robert J. Wittman

Frank Pallone Jr.
Congressman Frank Pallone Jr.

Carol Shea-Porter
Congresswoman Carol Shea-Porter



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries

251 Causeway Street • Suite 400
Boston, MA 02114

(617) 626-1520

fax (617) 626-1509



December 2, 2009

Ms. Patricia Kurkul
Regional Administrator, Northeast Region
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930-2276

Dear Ms. Kurkul: 

By now you are well aware of the furor created by the New England Fishery Management Council's recent decision to allocate far fewer days to the limited access sea scallop fishery for the next fishing year. Through Framework Adjustment 21 to the Atlantic Scallop Fishery Management Plan we now intend to reduce days-at-sea from 37 to 29 – a 22% decrease. After reflecting on Council discussions regarding the decrease in Days-At-Sea (DAS) and reviewing documents not discussed at the Council meeting, I conclude that important scientific advice was forgotten. I request you consider that advice during your review of Framework 21 in preparation for its implementation next year.

In July Council correspondence with the Science & Statistical Committee (SSC), Paul Howard indicated: "Full implementation of ACLs is not required in the Scallop FMP until 2011 because overfishing is not occurring, but the Council is still required to include a specific ABC for 2010, based on SSC recommendations. Therefore, the PDT will present an estimate of ABC for 2010, based on the same quantitative approach the SSC is reviewing for Amendment 15." Being said about four months ago, this very relevant description of what was to come regarding Plan Development Team (PDT) and SSC involvement in providing a 2010 Allowable Biological Catch (ABC) was omitted and, therefore, had no influence on the November Council decision to set the 2010 ABC at a fishing mortality of 0.20 (29 DAS).

After reviewing Framework 21 development with Council and my staff and referencing PDT and SSC documents, we conclude the Council did not refer to PDT/SSC findings; consequently, 2010 DAS are far too restrictive with unnecessary economic loss.

I refer you to a Council summary of the PDT August 12 meeting. On pages 7 & 8 ("Summary of SSC decisions from 8/11/09 meeting") it reads: "Staff briefed the PDT on the SSC meeting held the previous day. In general the SSC supported using the 25% chance of overfishing as the ABC control rule and was very complimentary of the work done by the PDT. It was accepted that this be used to set ABC and noted that the 25% chance fell between the 10-40% guidelines given in draft guidance documents NMFS is working on for implementing ACLs. The PDT reviewed the results about management uncertainty and support consideration of an ACT that is set at an F level with 25% chance of exceeding ABC. This happens to be an F of 0.24 for 2010 (my underlined emphasis)..."

Then in a September 23 memo to Paul Howard from SSC chairman Steve Cadrin, the Council learned that the SSC "endorses the proposal by the Scallop PDT and other conventions of risk-based harvest rules that ABC be based on 25% probability of overfishing. Analyses of uncertainty indicate that a 25% risk of overfishing is associated with less than 1% loss in yield relative to F_{max} ." Steve provided a table with alternative projections of fishing mortality and yield at alternative probabilities of overfishing. That table depicted a 25% chance of overfishing with a 2010 F of 0.29 with a 2010 yield of 29,500 mt. He ended with a SSC recommendation: "The SSC recommends that Acceptable Biological Catch of scallops in 2010 should be 29,578 mt for the overall fishery."

The SSC/PDT probability of overfishing with corresponding 2010 Fs and yield never was brought forward by the Scallop Committee at the November Council meeting. In fact, the Committee had nothing to offer on this critical issue. I believe this omission played a key role in the Council adopting an F of 0.20 with all its attendant consequences. For this reason, I request you take appropriate steps to account for PDT and SSC analyses of uncertainty and that the 2010 ABC be set at $F = 0.24$, providing an even lower probability of overfishing, i.e., less than 20%.

I realize your modifying the Council's decision will present some scheduling and framework implementation problems. Nevertheless, it is justified because the Council unintentionally failed to use PDT and SSC advice.

If those recommendations had called for an F lower than 0.20, I would still urge you to consider those recommendations developed with critical input from the Northeast Fisheries Science Center. I suspect you would feel compelled to do so. Perhaps, the Council can be requested to revisit this issue at its next meeting even though that meeting is in January.

Considering the success of sea scallop management and the tremendous support of the fishing industry for management and science, I feel your acting to correct an unfortunate situation caused by a Council misunderstanding about technical/scientific recommendations is warranted. I'm sure you will find yourself and the National Marine Fisheries Service congratulated by an appreciative, extremely valuable sea scallop fishing industry.

Pat, thanks for your attention to this matter.

Sincerely,



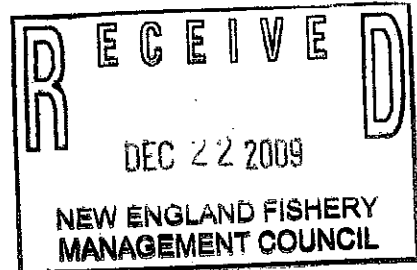
Paul J. Diodati
Director

Cc: John Pappalardo, NEFMC
Paul Howard, NEFMC
Richard Robins, MAFMC
Daniel Furlong, MAFMC
Steve Cadrin, NEFMC SSC



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

DEC 21



Paul J. Diodati
Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, MA 02114

Dear Paul,

Thank you for your recent letter regarding the final decisions made by the New England Fishery Management Council (Council) regarding Framework 21 to the Atlantic Sea Scallop Fishery Management Plan (FMP) which, among other management measures, will set the quota allocation for the 2010 fishing year (FY).

The Council submitted Framework 21 for review on December 21, 2010. The Council's recommendation will be reviewed to determine whether it achieves the objective specified in the FMP, to achieve optimum yield and prevent overfishing on a continuing basis. You have expressed concern that, in your view, the Council made its recommendation without properly considering the advice of the Science and Statistical Committee (SSC) regarding the appropriate level of acceptable biological catch (ABC) for the overall fishery. However, the SSC presented its recommendation to set an ABC of 29,578 mt for the scallop fishery for 2010 to the Council on September 23, 2009. The Council considered this advice, and other information, in making its Framework 21 recommendations, which includes an ABC of 29,578 mt.

The Council also considered additional analyses and management advice prepared by the Plan Development Team (PDT). The PDT is authorized under the FMP to recommend precautionary measures, such as a lower overall fishing mortality target, to ensure that optimum yield is achieved and that overfishing is prevented. The PDT's analysis of the fishery for Framework 21 indicated that the fishing mortality in 2009 exceeded the fishing mortality threshold of $F=0.29$, despite having a target set at a precautionary level of $F=0.20$ in 2009. This was primarily due to an underestimate of fishing mortality and landings-per-unit effort in the action that set the 2009 measures. Thus, an overall reduction in catch is necessary to curb the elevated mortality in the upcoming fishing year. The Framework 21 document predicts that this reduction in catch would need to be in place for 2010, but not for 2011 and beyond.

The Council considered adopting only two of the four scenarios for Framework 21: One with a low fishing mortality target of $F=0.20$; and another with a higher fishing mortality target of $F=0.24$. At the $F=0.20$ target, 29 days-at-sea (DAS) would be allocated, as opposed to 38 DAS that would be allocated at the $F=0.24$ target. Both options allocated

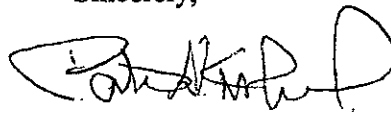


four access area trips. This represents a 22 percent decrease in DAS compared to FY 2009 allocations. The lower fishing mortality target alternative adopted by the Council performed better than the other alternative in terms of bycatch and essential fish habitat considerations, as well as long-term exploitable biomass projections.

The economic analysis of the various allocation scenarios used by the Council to assist in its decision was typical of the scallop fishery economic analyses presented to the Council in past actions. It provided details of predicted differences in landings, price, costs, revenue, and economic benefits between the various alternatives. With lower DAS allocations, compared to the higher DAS option, the analysis shows a loss of total revenues in 2010 of approximately \$40 million. However, the analysis also shows that the higher DAS alternative ($F=0.24$) considered by the Council would result in revenue losses ranging from \$10 to \$19 million each year from 2011 through 2014 compared to the lower DAS alternative. Under all options, the management measures were equal for 2011 and beyond.

The Council's rationale for the alternatives it selected in Framework 21 are articulated in the document submitted to NMFS. We are currently reviewing the document for compliance with the Magnuson-Stevens Act, the FMP, and other applicable law.

Sincerely,



Patricia Kurkul
Regional Administrator

Cc: John Pappalardo, NEFMC
Paul Howard, NEFMC
Richard Robins, MAFMC
Richard Seagraves, MAFMC
Steve Cadrin, NEFSC SSC



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries

251 Causeway Street • Suite 400
Boston, MA 02114

(617) 626-1520

fax (617) 626-1509



December 2, 2009

Ms. Patricia Kurkul
Regional Administrator, Northeast Region
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930-2276

Dear Ms. Kurkul:

By now you are well aware of the furor created by the New England Fishery Management Council's recent decision to allocate far fewer days to the limited access sea scallop fishery for the next fishing year. Through Framework Adjustment 21 to the Atlantic Scallop Fishery Management Plan we now intend to reduce days-at-sea from 37 to 29 – a 22% decrease. After reflecting on Council discussions regarding the decrease in Days-At-Sea (DAS) and reviewing documents not discussed at the Council meeting, I conclude that important scientific advice was forgotten. I request you consider that advice during your review of Framework 21 in preparation for its implementation next year.

In July Council correspondence with the Science & Statistical Committee (SSC), Paul Howard indicated: "Full implementation of ACLs is not required in the Scallop FMP until 2011 because overfishing is not occurring, but the Council is still required to include a specific ABC for 2010, based on SSC recommendations. Therefore, the PDT will present an estimate of ABC for 2010, based on the same quantitative approach the SSC is reviewing for Amendment 15." Being said about four months ago, this very relevant description of what was to come regarding Plan Development Team (PDT) and SSC involvement in providing a 2010 Allowable Biological Catch (ABC) was omitted and, therefore, had no influence on the November Council decision to set the 2010 ABC at a fishing mortality of 0.20 (29 DAS).

After reviewing Framework 21 development with Council and my staff and referencing PDT and SSC documents, we conclude the Council did not refer to PDT/SSC findings; consequently, 2010 DAS are far too restrictive with unnecessary economic loss.

I refer you to a Council summary of the PDT August 12 meeting. On pages 7 & 8 ("Summary of SSC decisions from 8/11/09 meeting") it reads: "Staff briefed the PDT on the SSC meeting held the previous day. In general the SSC supported using the 25% chance of overfishing as the ABC control rule and was very complimentary of the work done by the PDT. It was accepted that this be used to set ABC and noted that the 25% chance fell between the 10-40% guidelines given in draft guidance documents NMFS is working on for implementing ACLs. The PDT reviewed the results about management uncertainty and support consideration of an ACT that is set at an F level with 25% chance of exceeding ABC. This happens to be an F of 0.24 for 2010 (my underlined emphasis)..."

ACTION
SFD

Then in a September 23 memo to Paul Howard from SSC chairman Steve Cadrin, the Council learned that the SSC "endorses the proposal by the Scallop PDT and other conventions of risk-based harvest rules that ABC be based on 25% probability of overfishing. Analyses of uncertainty indicate that a 25% risk of overfishing is associated with less than 1% loss in yield relative to F_{max} ." Steve provided a table with alternative projections of fishing mortality and yield at alternative probabilities of overfishing. That table depicted a 25% chance of overfishing with a 2010 F of 0.29 with a 2010 yield of 29,500 mt. He ended with a SSC recommendation: "The SSC recommends that Acceptable Biological Catch of scallops in 2010 should be 29,578 mt for the overall fishery."

The SSC/PDT probability of overfishing with corresponding 2010 Fs and yield never was brought forward by the Scallop Committee at the November Council meeting. In fact, the Committee had nothing to offer on this critical issue. I believe this omission played a key role in the Council adopting an F of 0.20 with all its attendant consequences. For this reason, I request you take appropriate steps to account for PDT and SSC analyses of uncertainty and that the 2010 ABC be set at $F = 0.24$, providing an even lower probability of overfishing, i.e., less than 20%.

I realize your modifying the Council's decision will present some scheduling and framework implementation problems. Nevertheless, it is justified because the Council unintentionally failed to use PDT and SSC advice.

If those recommendations had called for an F lower than 0.20, I would still urge you to consider those recommendations developed with critical input from the Northeast Fisheries Science Center. I suspect you would feel compelled to do so. Perhaps, the Council can be requested to revisit this issue at its next meeting even though that meeting is in January.

Considering the success of sea scallop management and the tremendous support of the fishing industry for management and science, I feel your acting to correct an unfortunate situation caused by a Council misunderstanding about technical/scientific recommendations is warranted. I'm sure you will find yourself and the National Marine Fisheries Service congratulated by an appreciative, extremely valuable sea scallop fishing industry.

Pat, thanks for your attention to this matter.

Sincerely,



Paul J. Diodati
Director

Cc: John Pappalardo, NEFMC
Paul Howard, NEFMC
Richard Robins, MAFMC
Daniel Furlong, MAFMC
Steve Cadrin, NEFMC SSC