

**New England Fishery Management Council**  
Amendment 16 to the Northeast Multispecies Fishery Management Plan  
Supplemental Environmental Impact Statement  
Scoping Hearing  
Gloucester, MA  
November 30, 2006

In accordance with the National Environmental Policy Act (NEPA), a scoping hearing was held to discuss preparation of Amendment 16 to the Northeast Multispecies Fishery Management Plan. This fishery management action may be supported by a Supplemental Environmental Impact Statement (SEIS). The meeting was chaired by Groundfish Oversight Committee Vice-Chair Mike Leary. Council member Phil Ruhle was also present. Council analyst Tom Nies assisted.

After brief introductory comments by Mr. Leary, staff gave a short overview of the reasons for Amendment 16, the proposed schedule, and the scoping process. Staff emphasized that the time available for preparation of the amendment was limited. He also noted that the draft amendment and SEIS would be taken to public hearings prior to the completion of updated groundfish assessments in August 2008. The final Council decision will be made about one month after release of the assessment results. The meeting was then opened to public comment.

Dave Marciano: Dayboat gillnetter, Gloucester MA. The Council should keep the days-at-sea (DAS) system but should repair it. It is obviously broken or we wouldn't be here. We really don't use DAS – we use hours at sea. It is supposedly the mechanism to control mortality but we seem to make the mistake by adding trip limits. Once trip limits are adopted, the price goes up and a derby starts to get in as many trips in as few hours as possible. We also need to rethink our rolling closure scenarios. Maybe we shouldn't eliminate them but reconsider how they are configured. We should rethink permanent closures to make the lines bend and get more bang for our buck. We have never had the discussion of whether we really need the same mesh size across all gear types. I would like to have that discussion and would like to see any documents that support that conclusion. We should be freed from that broad brush approach because all gears are not created equal. To conclude we should keep the DAS system.

Vito Giacolone: Northeast Seafood Coalition. The Coalition over the past year has been working on a new management concept. We have been sharing our ideas with permit holders. It will put us in a better situation for individual accountability and simplicity. The current system is so complex and constipated we are not able to access healthy stocks. Fishermen are locked into the boxes of the rolling closures, fishermen are unable to lease DAS that match their vessels closures, and there are a lot of false constraints that aren't working. We are proposing a point system, recognizing that the biggest stumbling block in changing systems is the allocation method. We have already implemented a difficult allocation amendment. As a result of Amendment 13, we now have individual DAS allocations of Category A, B, and C DAS. We qualified effective effort through

Amendment 13, and have baseline length horsepower characteristics. Using those criteria we have a formula that gives base points to every vessel. We will provide that exercise in written form. We incorporate catch history, weighting past revenue and landings as separate criteria. This gives a score for each permit. We will offer alternatives for different vessel categories, but leave that open to the Council process. What we are trying to do is establish the same pecking order as in the fishery today. This will convert to an output control system. What this does is maintain flexibility. You should understand that and ITQ or sector that uses past baseline of catch, species specific, to allocate to an individual or a sector, will be difficult to work in a multispecies fishery. Such an approach does not recognize reality. Our system converts all DAS baselines and catch history to a common currency. There would be basically a computer model that sets point value for each stock based on the health of the stock. And an estimate of the fish caught or points spent on the stock. It allows free exchange or leasing of points. We require full retention of legal sized catch, daily reporting of all catch, monitoring through VMS, reporting haul weights prior to crossing the VMS demarcation line, identify unloading station. There would be no trip limits and no need for rolling closures and permanent closures that make people more inefficient. This approach promotes efficiency and stewardship. It promotes full retention and lets people fish like fishing should be. We have been working with limited access permit holders, and lots of people wanted this forwarded through the scoping process. We planned to submit several petitions but they were snatched. We will be forwarding something for review prior to the end of scoping.

Paul Cohan: Day boat gillnetter, Gloucester. At the risk of somewhat of being cynical – I do applaud the timing of this meeting. We would be better attended if it were not seven hours from the opening of Middle Bank. This gets into the deeper question of public input into process. I am grateful for the opportunity to speak. I don't get to many meetings nay more. Sometimes numbers are necessary to move things. To schedule a November 30 hearing when there is a December 1 opening – it may be called an oversight, but it has happened a few times before. I was at the meetings for Amendment 13– we were looking for bigger and better things. We are shooting at moving target. If we are looking at this sort of picture – what are we going to be doing for the 2009 fishing year – that might as well be 2099 for a whole bunch h of boats and a whole bunch of people. People having problems with VMS on small boats, but what it comes right down to it, do fisherman have any faith in what this is going to do? There was a great social and economic report before Amendment 13 that showed what had happened to various boats and people. And that was ignored. Are we going to do another serious look at who is taking the hits, who has gotten by, and how is this all worked into the socioeconomic fabric of our fishery? Regionally speaking – the 2:1 DAS counting in this region this region in between Provincetown and Portsmouth – this region has borne the brunt of most restrictive measures ever put into a fishery. I have been running around these for 20 years- it just blows my mind that there are requirements in SFA that state you should not have disparities in access, that state your should take into account socioeconomic impacts; they have been completely ignored. Tossed right out. That is Incomprehensible If Congress put in a law, they put in a balance. They have checks and balances in SFA. We don't have the balances and God knows we don't have the checks. I would like to make a comment for the gillnet sector, or rather, the - Gloucester future ex-gillnetters association. I would think if we are looking to the future – management has for too long

has looked at one size its all approach. I am on the record for years to see temporal catch rates - fixed gear vs. mobile gear. A lot of the info is there in the observer program but we have never accessed it. We have real serious problems with what is going on now in this fishery. Gillnet has the potential to be lowest discard, highest selectivity and all this has been ignored. What we have is a situation that will turn dayboat gillnet fishery into a soak fishery. Without getting credit for time dumping gear in the water –no way this fishery will operate cleanly given VMS, closures, 48 days, especially dogfish (picking through dogfish takes time). To expect someone to spend 3-4 hours to take 20,000 pounds of dogs out of a string is preposterous. Not to mention the damage done to the gear. I suggest looking at a program that would allow this gear type to maximize its potential, work on its strongpoints: low habitat impact, low discards. Allow this fishery to work; allow this fishery to get gear off the boat for two or three days, get it back on the boat and not be punished for the set day. That is the greatest disincentive to a clean fishery that there is. You are going to lose not eight hours to set gear but fifteen hours, just to get stuff back in the water. Someone who wants to fish two or three days will have to pay another pay another day to put it back in the water, spending a third of their time if they wan to fish selectively. The other side of the coin – leave the gear for a three day storm – pick shit – bring in what you got. The question is – is the discard going to outweigh the extra DAS for someone to fish this gear properly and selectively and the way management should allow it to be fished? You can commando fish this stuff: get it in the water, fish cleanly, get it back, but there is no reason to lose a DAS to be able to fish that way. If one looks at catch rates, we are getting punished by that fifteen hour thing – when you go just to set the stuff. Catch rates between gillnets and mobile gear- I don't think you will see that great an increase because everyone would be a gillnetter if there was. It is a pretty straightforward fishery. We need to manage the gillnet fishery as a gillnet fishery. Say it has its own peculiarities – has its high points and weaknesses-p manage it to high points and eliminate weaknesses. There is a model for the gillnet fishery form Australia. What they do down there is allow access to that fishery based on how many nets you are working. You use your time as the amount of nets you have. Our gillnet fishery is the only fishery that has had a fishing power reduction in these regulations. For example, we could eliminate time, trading off number of nets with time which would enhance ability to fish selectively. It would certainly make a greater stride to have a clean, low discard, and crackerjack inshore gillnet fishery. Forget about the time – work on the gear you are fishing – 48 DAS with 50 nets –get 70 DAS with 30 nets. There is probably factor there you can get at. Your job and our job is to try and be as efficient as possible. I went through the whole thing in Amendment 13; hopefully this next round will make a change. But there has to be someone left to make a change for.

Joe Orlando: Gloucester MA fisherman. It seems to me that the DAS thing is just not working. Every time a stock gets in trouble I just lose more DAS and we leave the healthy stocks on the table. We can't get to them. For that reason – I support the point system. I think it is a great step going forward. Get rid of rolling closures – we need something else. What we have right now is just not working. In 2009, if Cape Cod/Gulf of Maine yellowtail flounder doesn't get where it should be, I may lose half my DAS again. If there is a point system, I could keep fishing, for haddock or whatever. I support

the point system. If yellowtail flounder goes down the tubes, the only thing left is less DAS or more closures.

Gus Sanfillippo: Gloucester MA fisherman. I have a real struggle with the DAS system right now. I support the new idea – the point system – to basically allow us to access certain stocks. It is a great way to say alive in this business. I have to support the point system. It worries me to stay with the DAS – I get further in debt just to keep surviving. We should look at the point system and see if it develops as a way to access healthy stocks.

Kevin Twombly: Charter-boat fisherman, Gloucester MA. I think the whole thing needs to be looked at. Some stocks affect others – the midwater trawlers wiping out herring won't help rebuild stocks. Dogfish – I can't fish with a dart in some places. This time of year when fish are spawning – dogfish are thick in those areas. Spawning areas are chuck full of dogfish. Recreational sector needs to be separated and given our own allocation and given something different. The reason being the people that come up take the bus; – most come once or twice a year, mostly from the east coast to go fishing. The five month closure – a lot of people are cut right out of it. When they come they put all their dollars into a lot of pockets. Maybe if more cuts need to be made, they should go to types of permits. If VMS is working and regulated, maybe that should be on party and charter boats as well. Might get rid of some of the part-timers. We need to get a good tab on counting fish. We should require permits for recreational fishermen and require mandatory reporting. I don't think counting of recreational fish is very accurate.

Paul Vitale: Gloucester Fisherman. I am also in support of something different. DAS are killing all of us. I had 88 DAS, then 70, then 52, and I am locked out of lobster fishery. No one wants to go scalloping. My boat is tied up for two weeks at a time while I work on a tugboat. . I have my own business and it is tied to the wharf rusting. We have to find something different. Point system is one idea we need to explore. .If we are going to get cut again in 2009, it will be tough for anyone to survive.

Sebastian Noto: Gloucester MA fisherman. I support the point system. I like conservation, that is beautiful. When we go someplace we conserve, we catch all this cod. The points are a different game. That is your choice, what you catch. If you lose the most points – that is good. On Georges Bank, killing 10,000 – 15,000 pounds of cod that I can't land – that makes me angry. I am for the point system. If you want to target cod or yellowtail flounder, you get charged the points. There has to be a point we know where we are standing.

Jackie Odell: Northeast Seafood Coalition. Just to follow-up on the points made tonight. The NESF will support and submit a point system and management concept for consideration. That will be created to remember the discussion that took place during FW 42: Council members said that something new needed to be created; we need to fix problems that are in the DAS system. Since those comments were made last winter we have been spending a lot of our time figuring out how to make things better. We have received a lot of comments on our “pay as you play” type management concept. It has

accountability – it is a comprehensive management system – it puts the entire fishery under a common currency – and it does not use a weak stock management mode. Now that we might be adding two additional stocks to the multispecies complex we want to make fishing more efficient. We are leaving a lot of fish on the table. You will receive a full proposal from us later this month.

Rob Snyder: Vice-President of the Island Institute, Rockland ME. We come at this problem from a different perspective. Maine is a state of 149 small harbors, defined by a small boat fishery. Communities are supported primarily by a lobster fishery. Port Clyde is the last groundfish port heading east. We are concerned about longevity of these communities when their entire economy is tied to lobster. As an organization we are interested in identifying methods that will allow for a future for these communities. One way to move towards this is to include the fishermen in the discussions, in more inclusive discussions. We have been part of an area management discussion on the coast of Maine, working primarily with Craig Pendleton of NAMA. We will be fleshing out our areas of agreement into a full proposal. The principles that the Area Management Coalition has reached agreement on are: define finer scale, geographically specific areas based on ecological and biological factors, allocate resources to the areas based on fish tagging studies, trawl surveys, primary productivity, effort, and commercial catch over time – over time, allocation will move closer to biological productivity; fair, equitable, and transparent allocation, each area will develop area specific rules and methods for allocating fish; local governance structures nested within the current management regime; real time catch reporting. Once again we plan on putting forward a strong proposal for consideration.

Vito Calomo: Massachusetts Fishery Recovery Commission. We have considerable experience in joint collaboration between managers, scientists, and fishermen when funding research projects. Fishermen know more about species we are trying to save than anyone in the world, because their livelihood depends on their ability to know where the fish are. In the past we have had people bring forward ideas that have fallen on deaf ears. Fishermen from many organizations are reaching out to joint collaboration with managers and scientists. Listen to their cries – read their proposals and try to work with that. The Commonwealth of Massachusetts appreciates that.