

Galilean Seafood LLC
15 Broad Common Rd
Bristol RI 02809

Atlantic Harvesters LLC
55 Middle Street
Fairhaven MA 02719

MAMFC Council Members
Re: Great South Channel HMA

May 26th, 2023

Dear Council Members,

My name is Sam Martin. I am Chief Operating Officer for Galilean Seafood and Atlantic Harvesters and speaking on behalf of all the vessel operators and processors that have built their businesses in and around Nantucket Shoals.

We are requesting the Mid Atlantic Council initiate an action to develop an access program for clam vessels in the Great South Channel HMA around the areas known as Davis bank and Rose & Crown.

Problem Statement:

The Nantucket Shoals surf clam fishery produces uniquely large surf clams that are essential for our specialized hand shucking processing. This process does not rely on machines, it relies on skilled, steady employees for this labor-intensive work. Hand shucked clams service a premium market for clam strips and chopped meat for fresh chowders around the country. Since the closure of the HMA we have seen more than a 50% reduction in catch rates of the essential large surf clams. The areas outside the HMA do not have the volumes of large surf clams needed to support our hands shucking operations. This jeopardizes the economic viability of our employees, fishing vessels, trucking companies and shore-side plants located in New England, which are dependent on the hand shucked product. As a result of the closure the surf clam fishery is not currently achieving Optimum Yield.

The surf clams on and around Nantucket shoals are what created this once successful business model. The areas of Davis Bank and Rose & Crown are sustainable fishing grounds for surf clams. Surf clam habitat is sandy bottom, not mud, rocks, or cobble.

During the development of OHA2, the New England council was not aware of the importance of the shoals to the surf clam fishery because it does not manage the fishery and lacks the expertise and understanding of the fishery's dynamics. When the New England Council chose an area for protection, it acted on the advice from its scallop and groundfish fisheries and was not properly informed of the impacts on the surf clam fishery.

Due to the lack of input from the clam industry the New England council granted a one-year exemption to conduct science to examine the impacts of a hydraulic dredge in the closure. The National Science Foundation and the industry funded the Science Center for Marine Fisheries to conduct a robust study of the gear impacts in the area. The study showed that clam vessels do not adversely impact this type of habitat, because the natural forces of tidal and wave impacts far outweighed any impacts from the gear. The shoals are highly dynamic areas with significant natural fluctuations in flora and fauna.

The New England council then passed a trailing clam dredge framework published June 18, 2019, and identified three areas for the clam industry to work in: McBlair and Fishing Rip areas can be fished year-round and Old South can be fished from May 1st to Oct 31st each year. Old South is closed in the winter "to avoid disturbing spawning aggregations of cod that may occur in the area". The Council chose these areas as they "appear to be less vulnerable to habitat impacts" than other area

Unfortunately, the areas identified in the framework are not viable to sustain the hand shucked clam industry on the shoals. Fishing Rip has a viable resource, but it cannot be fished due to large boulders or structures in the area. Once again, because the New England council lacks the subject matter expertise on the surf clam fishery it chose an ineffective solution. In response to the trailing action the industry proposed and an EFP to NMFS to prove that the council should have chosen Rose and Crown or Davis Bank over Fishing Rip, but NMFS denied the request.

NMFS did approve an EFP to ascertain if the industry could fish Rose and Crown without adversely impacting habitat. The initial findings supported the hypothesis that the surf clam fishery could fish areas within the HMA without adverse effects to habitat. NMFS denied the second phase of that EFP and has so far refused to reconsider allowing more research in the area.

We made a request for the leadership of both councils to meet and discuss what can be accomplished through compromise. That meeting took place but with no answers or pathways were established to continue working to save us.

We are simply running out of time to sustain our business. We have fished and explored other areas outside the shoals that are in reasonable proximity to our plants since the closure. They do not have the CPUE or concentrations of clams we need for our hand shuck markets. Unfortunately, despite all our efforts we have failed to prevent significant direct economic losses to our vessels, shoreside plants and employees, causing significant community impacts.

We have presented numerous ideas to the NEFMC to access areas under conservation equivalency, rotational management and continued research. This is not a matter of sustaining a fishery resource. This is a rebuilding plan for the surf clam community and its recipients that we are asking you to engage in. To date the NEFMC has not prioritized or acted on any of our requests.

We are asking, if not begging the MAMFC to prioritize an action to explore allowing access for the surf clam fishery on the Nantucket shoals. The MAFMC has the authority to act on this issue because it manages the surf clam fishery and all the habitat regulations for the region are under the same federal regulations. The NEFMC is refusing to act on this matter and when it has acted in the past, it is hindered by its lack of expertise in this fishery. The MAFMC is the appropriate forum for a management action regarding the surf clam fishery and it is responsible for making sure the fishery achieves its Optimum Yield.

Sincerely,

Sam Martin

Enclosed: Map of areas under discussion in the GSCHMA

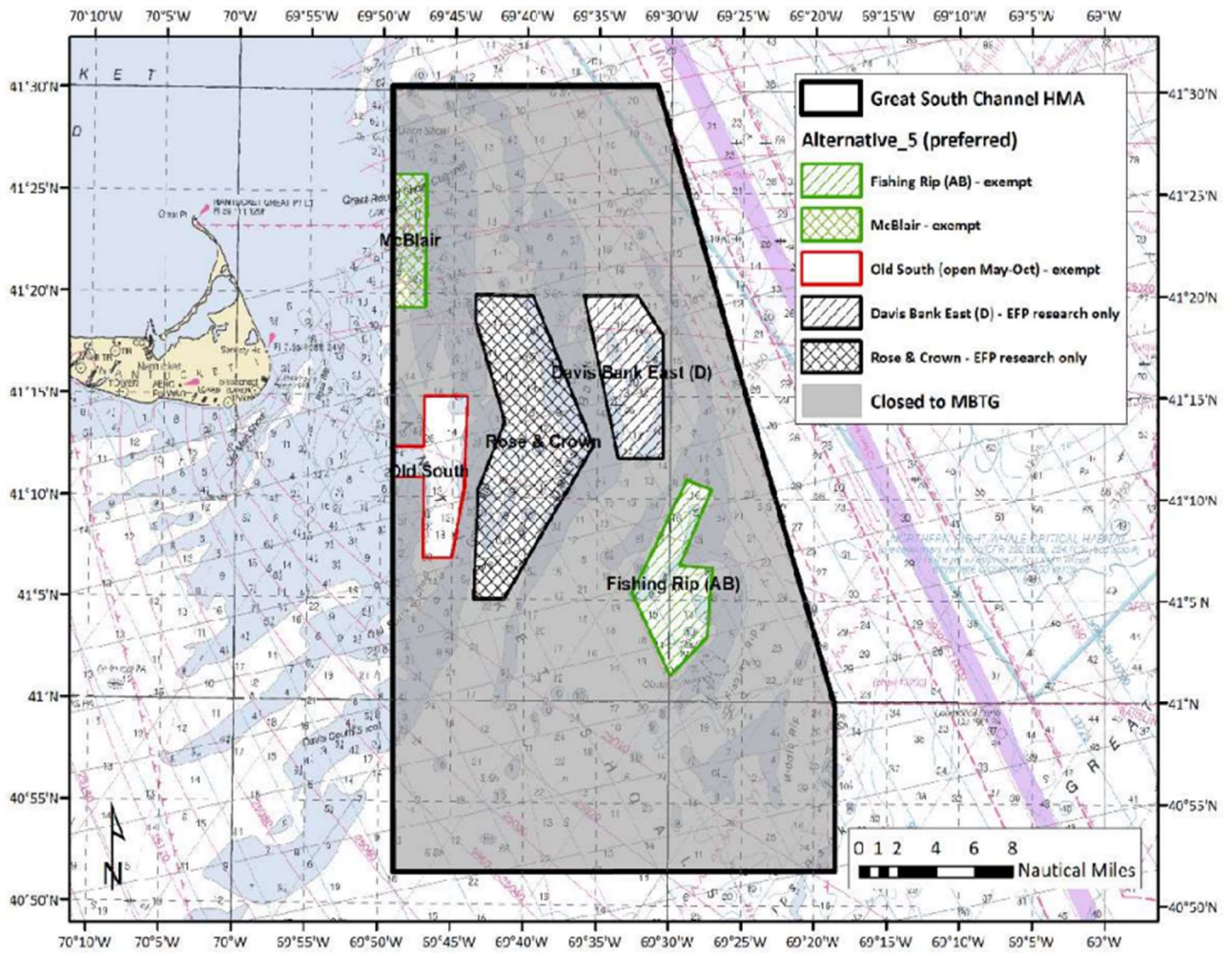


Figure A1. Clam dredge exemptions in the Great South Channel Habitat Management Area (from NEFMC 2018).