



March 31, 2015

Dear Senator Baker, Representative Kumiega and members of the Marine Resources Committee:

I am writing to oppose LD 908 "An Act to Promote Sustainability in the Scallop Fishery". If enacted, this bill will seriously undermine the program that is helping to restore a sustainable, profitable scallop fishery in the state of Maine.

I currently work as a scallop dealer and scallop fishery advocate, but from 2007 to 2011 I worked as a resource management coordinator at the Maine Department of Marine Resources. I led the charge to change the way we manage our scallop fishery. An initial suite of changes led to a dramatic increase in biomass, but it is the subsequent changes, initiated just prior to the 2012 season, that helped the fishery grow sustainably. These measures worked because they were *tailored to match the needs of Maine's diverse scallop industry*. The scallop resource in Western Maine is very different from that in Eastern Maine, and Cobscook Bay's resource is different still. Fishermen must be allowed to fish in a way that suits their area, their vessel and their situation. We must recognize and cultivate diversity in our fisheries, not squash it.

I have been to hundreds of scallop management meetings in the past 8 years and have listened to countless debates and discussions with all segments of Maine's diverse scallop fishing industry. The experience gained through these discussions and debates, as well as my training a fisheries manager, convince me that LD 908 would be a terrible mistake for the following reasons:

Drag size:

At first glance a smaller drag would seem to promote conservation. But it's not as simple as that, because:

- Larger drags are necessary for safe, effective harvesting in deep waters;
- Larger drags are often necessary in western Maine where fishermen must (burn a lot of fuel to) seek productive patches;
- With a conservative 15-gallon possession limit in place, a drag size reduction is redundant. We already limit what guys can bring in. Why do we care what size drag they use to harvest it?

Possession Limit:

Our 15-gallon possession limit is *already* conservative and already a reduction from the 200 pound limit implemented in 2008. Reducing it even further would make it less feasible to travel or search for

scallops. Implementing a 10-gallon limit statewide would seriously disadvantage western Maine fishermen, mobile fishermen and fishermen who have larger boats. Also, creating one statewide possession limit would have dangerous consequences to the resource and fishery in Cobscook Bay. Cobscook's abundant scallops and sheltered waters generate more predictable fishing opportunities and reliable landings, which attract many fishermen. The (existing) reduced limit and reduced drag size prevents a derby fishery in Cobscook Bay because many fishermen choose to stay outside where they can take their chance at harvesting a full 15 gallons. Eliminating this differential **would recreate a problem that has already been solved**. Maine's scallop fishery is and has always been a mobile fishery, and it must continue to be so, especially given the success of rotational management in Eastern Maine. But we must understand and account for the consequences of this mobility if we are to create sustainable fishing opportunities throughout the entire state.

Also, it is essential that the possession limit be attached to the vessel, not the license holder. Applying the limit to the license holder would allow "stacking" of licenses aboard one vessel and generate an effective *increase* in the limit. This is neither advisable nor equitable.

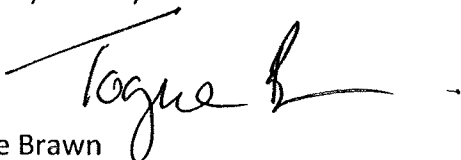
Allowing New Licenses:

I understand how hard it is to look a struggling fisherman in the eye and tell him he can't have a scallop license. But if we hadn't done that back in 2008, we would still be bringing in fewer than 200,000 pounds of scallops each year. Please remember that the reason so many people want a license now is that the fishery is starting to recover, and that's happened because many current fishermen have sacrificed to bring it back.

At some point, we must allow new entrants to the fishery. But adding new participants to a fishery in the process of rebuilding will be a very complex task. It should be undertaken **only after close consultation with industry**, and after careful consideration of the consequences of any particular plan. And when we do allow new entrants, I would certainly question the fairness of a system that favors those who had a license in the past and chose not to renew it over those who never had a chance to get one.

The dramatic resource growth that occurred over the past 7 years came through difficult choices and significant sacrifices made by existing scallop fishermen. We have made great progress, but there is much work left to do, and it is critical that future management changes be implemented *only after the needs of all segments of the industry are considered*. The Department of Marine Resources is best qualified to conduct the multiple meetings and considerable outreach necessary to accomplish this through the rulemaking process. I urge you to refrain from making ANY changes to current Maine scallop legislation.

I thank you for your consideration of this very important matter.



Togue Brawn
Maine Dayboat Scallops, Inc,