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September 9, 2011

Mary Colligan
Assistant Regional Administrator for Protected Resources
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 1930

RE: **ALWTRP Scoping Comments**

Dear Administrator Colligan,

On behalf of the Board of Directors of the Georges Bank Cod Fixed Gear Sector (Sector), I write to you today to provide comments on the proposed measures to amend the Atlantic Large Whale Take Reduction Plan (ALWTRP). **Specifically, the Sector Board of Directors recommends that the “No Action” alternative be implemented.**

“No Action” is the only legitimate option at this time for the following primary reasons:

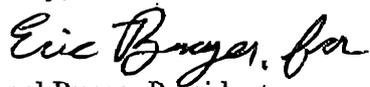
1. The analysis provided in the document is based on severely outdated information.
 - The “co-occurrence” model that is used to “predict” where fishing effort and whales overlap uses baseline data from 2008 in its analysis. A number of fisheries, namely the Northeast Multispecies Fishery, have undergone significant revisions since that time and are operating much differently today. It is outright false to assume that fishing effort in 2008 in any way attempts to represent fishing effort in 2011.
 - Furthermore, if ALWTRP revisions are anticipated to be implemented in 2014, that would mean that by the time those regulations are implemented they would be based on information over half a decade old. Imposing potentially severe management actions on data that old is reckless and inappropriate.
 - Finally, as it is, there is no direct correlation that can be made between a reduction in vertical lines and the resulting reduction in whale harm – the National Marine Fisheries Service is “guessing” at what the results of this plan will be. This is improper in and of itself; combining outdated information with guesswork is unacceptable.
2. Action is not required at this time.
 - According to a 2010 NMFS report, the humpback whale stock is “steadily increasing in size” and right whales are demonstrating a “positive trend in population size.” However, yet takes are not increasing accordingly.

- Furthermore, any level of "serious injury and mortality" (SI&M) includes incidents from Canadian waters. Therefore, U.S. fishermen are paying the price for injuries that occur outside of our jurisdiction.
- Finally, it is expected that forthcoming data will demonstrate that the proposed level of reduction needed for Humpback Whales is not necessary.

Knowingly making decisions using outdated information and guesswork is irresponsible and jeopardizes this plan and any fishery using vertical lines. Additionally, making these decisions prematurely only helps ensure that the plan will be ineffective at best and catastrophic at worse. As such, the Sector strongly recommends the No Action alternative until these flaws can be addressed.

Thank you for your attention to these recommendations.

Sincerely,



Michael Russo, President
GB Cod Fixed Gear Sector Inc.