



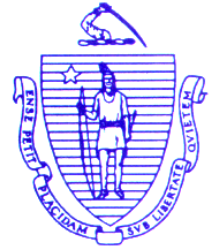
Paul J. Diodati
Director

Commonwealth of Massachusetts

Division of Marine Fisheries

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Charles D. Baker
Governor
Matthew A. Beaton
Secretary
George N. Peterson, Jr.
Commissioner

February 6, 2015

NAME ON QUALIFIED NMFS PERMIT
ADDRESS
CITY, STATE ZIP CODE

RE: Phase 2 Groundfish Disaster Aid to Federal Limited Access Multispecies Permit Holders

Dear Name on Qualified NMFS Permit:

The Massachusetts Division of Marine Fisheries (DMF) notified all Massachusetts permit holders in a concurrent February 6, 2015 mailing of the Phase 2 state spending plan related to the disaster declared for the 2013 groundfish fishing year. This letter is to **inform you that we have made a preliminary determination that you have been pre-qualified to receive a payment** from the Commonwealth of Massachusetts' Phase 2 Groundfish Disaster Aid Program.

DMF audited all federal limited access multispecies permits homeported in MA as of 4/30/2014 and pre-qualified them for a flat rate payment based on the following criteria:

Higher Flat Rate: federal limited access groundfish permit holders who landed at least 5,000 lbs. of groundfish¹ in FY2009;

Lower Flat Rate: federal limited access groundfish permit holders who landed at least 3,000 lbs. but less than 5,000 lbs. of groundfish in any one year FY2010 to FY2013.

A valid MA DMF commercial landing permit also must have been held and associated with the federally permitted vessel showing eligible landings in the qualifying year.

In order to ensure that the limited funds allocated to the Commonwealth are distributed to the greatest number of eligible fishermen, crew and communities affected by the groundfish disaster, DMF has created a limitation on Phase 2 eligibilities. A single entity that received payment(s) in Phase 1 may have any Phase 2 payments reduced by half (50%). However, a permitted vessel attributed with a single entity that received payment(s) in Phase 1 is disqualified from receiving any additional funds in Phase 2.

¹ Groundfish for qualification purposes means the following thirteen species: cod, haddock, yellowtail flounder, pollock, plaice, witch flounder, white hake, windowpane flounder, Atlantic halibut, winter flounder, redfish, Atlantic wolffish, and ocean pout.

A “single entity” means the existence of a common ownership interest, as determined by DMF, in two or more eligible permits that warrants attributing such permits to a single “owner,” notwithstanding that the permits may be held in the name of separate corporations or other legal owners. In making such a determination, DMF will consider all relevant information including, but is not limited to:

- the name of the holder of permits issued by the National Marine Fisheries Service (NMFS) and/or DMF associated with the eligible Moratorium Right Identification (MRI) landings history data;
- the existence of a common ownership interest in two or more entities based on a review of the articles of incorporation and/or other corporation documents on file with the Commonwealth of Massachusetts’s Corporation Database;
- the identity of the sector member on the associated sector operations plan for the eligible MRI;
- the identity of the vendor on the state contract that received Phase 1 funds by DMF; and
- whether two or more legal owners seeking assistance are members of the same family household.

Given your landings history in fishing year FY(qualification year) on F/V (vessel name), NMFS permit #, you are eligible to receive a (higher or lower flat rate) payment. DMF has determined that F/V (vessel name), NMFS Permit # **(is or is not) associated with a single entity** that received payment(s) in Phase 1 of this program. Payment rates will not be finalized until all appeals have been finalized. If you believe there was a technical error in the landings data or single entity association, you may submit a written appeal to MA DMF postmarked no later than February 20, 2015. Any appeals should be directed to Samantha Andrews at 251 Causeway St., Suite 400 Boston, MA 02114 or by dated email at Samantha.n.andrews@state.ma.us.

Following conclusion of all appeals, DMF will notify you in writing of your final qualified payment amount. In order to receive payment, you must be a current state vendor. DMF will provide necessary documents to become a state vendor or update your existing information upon notification of final payment amounts.

If you have any questions please contact Samantha Andrews (617.626.1564 or Samantha.n.andrews@state.ma.us).

Sincerely,



Melanie Griffin
Fishery Policy Analyst