#8

Correspondence

February 19, 2014 RAP Meeting

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

JAN 17 2014

Thomas A. Nies
Executive Director
New England Fishery Management Council
50 Water Street Mill 2
Newburyport, MA 01950

Dear Tom:

As you know, we recently completed year-end accounting for groundfish for fishing year (FY) 2012. At the November 2013 Groundfish Committee meeting, my staff presented the results of the year-end report and the final evaluation of the FY 2012 annual catch limits (ACLs). The total ACLs for both northern and southern windowpane flounder were exceeded in FY 2012 by more than 25 percent (Table 1). As a result, the accountability measures (AMs) for these stocks, which were adopted in Framework 47 to the Northeast Multispecies Fishery Management Plan (FMP), will be triggered on May 1, 2014. For both windowpane flounder stocks, the small and large AM areas will be triggered, and commercial groundfish trawl vessels will be required to use selective gear in these areas for FY 2014. As a reminder, sectors cannot request an exemption from these AMs. We are working on outreach to commercial groundfish vessels to make sure industry is aware of the pending AMs.

Table 1. FY 2012 Windowpane Flounder ACLs and Catch (mt)

Stock	**Total ACL**	Catch				
		Total	Groundfish Fishery	State Waters	Other sub-Component	% of ACL Caught
Northern windowpane flounder	**163**	209	130	2	77	128%
Southern windowpane flounder	**381**	521	107	34	380	148%

Last year, Framework 48 to the FMP adopted a sub-ACL for southern windowpane flounder for the scallop fishery, as well as a sub-ACL and AM for southern windowpane flounder for the other sub-component. These measures became effective for FY 2013, so the AM triggered as a result of the FY 2012 overage does not affect these fisheries.

At the November 2013 Groundfish Committee meeting, my staff also reported on the current FY 2013 catches of northern windowpane flounder by the commercial groundfish fleet, which at that time were nearing the total ACL for the stock. Based on updated data through January 14, 2014, the commercial groundfish fleet has caught 211 mt of northern windowpane flounder, which exceeds the FY 2013 overfishing limit (OFL) for this stock of 202 mt. Although there are no inseason AMs for this stock, the current FY 2013 catch estimates should give pause.

As you know, the AM for this stock is triggered in the year immediately following the overage if we know before the end of the fishing year, based on reliable data, that an overage has occurred. Because the commercial groundfish fishery alone has exceeded the FY 2013 OFL, this would trigger the AM beginning on May 1, 2014. In this case, however, the AM has already been triggered due to the FY 2012 overage. Regardless of what ACL overage triggered the AM, though, FY 2014 is the first time the AM for this stock will be implemented, so I urge the Council to closely evaluate its effectiveness next year in preventing overfishing for northern windowpane flounder.

At the December 2013 Council meeting, FY 2013 recreational catches of Gulf of Maine (GOM) cod and haddock were also raised. We were able to generate inseason FY 2013 catch estimates based on data available to date, which includes Marine Recreational Information Program Waves 2-5, or May 1-October 31, 2013. This information is summarized in Table 2 below. Based on these estimates, it appears that the recreational measures we implemented for FY 2013 did not reduce recreational removals enough to prevent overages of the recreational sub-ACLs.

Table 2. FY 2013 Recreational Catch Estimates of GOM Cod and Haddock (mt), May 1 – October 2013.

Stock	FY 2013 Recreational sub-ACL	Total Catch[1]	% of sub-ACL Caught
GOM cod	486	706	145%
GOM haddock	74	256	246%

[1] Consistent with the most recent assessment for each stock: 1) A mortality rate of 30% has been applied to GOM cod discards; and 2) recreational discards for GOM haddock are not included.

The proactive AM for the recreational fishery gives me authority to adjust measures for the upcoming fishing year, in consultation with the Council, to prevent the recreational fishery from exceeding its sub-ACL. The FY 2014 recreational sub-ACL for GOM cod is the same as FY 2013, and is only increasing by 13 mt for GOM haddock compared to FY 2013. So, based on the FY 2013 estimates to date, we will need to adjust recreational measures for FY 2014 to ensure the recreational sub-ACLs are not exceeded. We will work with you and your staff to coordinate development of alternatives for the FY 2014 recreational measures, including any potential input from the Council, or its Recreational Advisory Panel.

If you have any questions on the FY 2012 year-end report, or the FY 2013 catches we summarized in this letter, please contact me at 978-281-9200, or my staff in the Sustainable Fisheries Division at 978-281-9315.

Sincerely,

for John K. Bullard
Regional Administrator

STELLWAGEN BANK CHARTER BOAT ASSN.

P.O. Box 1230
Marshfield, MA 02050

RECEIVED
FEB 10 2013
NEW ENGLAND FISHERY MANAGEMENT COUNCIL

Mr. Tom Nies, Executive Director
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

February 5, 2014

Dear Mr. Nies:

I'm writing on behalf of the Stellwagen Bank Charter Boat Association (SBCBA), which comprises 130 members and small businesses. We are very concerned that proposed SERA II (DHRA) closed areas will have a significant negative financial impact on our businesses, and we urge the Council to vote "No Action" as it relates to these proposed closures.

As you know, the for-hire fleet already faces significant financial hardships due to the 5 ½ month seasonal closure imposed on our activities. In April, when our season reopens, our customers look forward to taking home some cod and haddock fillets. If we're denied access to 55 square nautical miles on Stellwagen Bank in areas where we currently find fish, we'll have to travel further east. That prospect introduces increased cost, time, and safety concerns for more than 190 charter boats with NE multispecies permits that operate from ports in this area. And this additional restriction on our ability to make a living is simply untenable.

Frankly, it's difficult to imagine what possible research benefit could justify denying public access to an area that's been fished for centuries and jeopardizing the livelihoods of hard working fishermen. And if the research is that important, why not move it further offshore – out of the Sanctuary and off the historical fishing grounds that are so important to our financial future?

In conclusion, the members of the SBCBA ask the New England Fishery Management Council to reject the proposed reference areas as part of the habitat protection measures and to vote for "No Action" in the Western Gulf of Maine.

Thank you.

Charlie Wade

Charlie Wade
President
Stellwagen Bank Charter Boat Association

CC:
Paul Diodati, Director, MA Division of Marine Fisheries
David Pierce, Deputy Director, MA Division of Marine Fisheries
John Bullard, Northeast Regional Administrator, NMFS
Barry Gibson, Chair, Recreational Fishing Advisory Panel

w. Council, FH, VC, MB (2/12)

Wade
384 Neck Road
Rochester, MA 02770
508-763-0559

RECEIVED
FEB 06 2013
NEW ENGLAND FISHERY MANAGEMENT COUNCIL

February 3, 2014

Mr. Tom Nies, Executive Director
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear Mr. Nies:

As the operator of a Green Harbor for hire vessel, Ghillie, I'm writing to express my opposition to the proposed SERA II (DHRA) reference area(s) that would deny public fishing access to a 55 square NM area in places we depend on for charter fishing.

I'm also incensed to learn that a key criterion used to select these proposed areas is based on Vessel Trip Report (VTR) data. These "data" have been erroneously interpreted to claim that very little fishing activity occurs in the proposed reference areas. Nothing could be further from the truth, other than the nearly 6 month seasonal closure already in place. On a typical groundfishing trip to NMFS statistical area 514, where both of the proposed closed (reference) areas are located, I may fish eight to ten different locations. Anyone familiar with the VTR log sheets knows that only a SINGLE SET of Lat/Lon coordinates is allowed. The instructions in my VTR log book state that fishermen are requested to use the "center point" of all the locations they fish when multiple locations are involved. How then can anything be inferred about where a fisherman actually fished? ***Especially if decisions about regulatory closures are involved!*** VTR data are intended to be macro, not micro.

In reality, the south shore fleet depends on these areas in the spring when we start fishing again after a seasonal closure of almost half a year. This is especially true since the catch share system has been implemented. Regrettably, the large sector boats working on the bank have virtually wiped out groundfish in what had been a dependable and thriving ecosystem that supported our artisanal hook-and-line fishery for years. Now, when spring rolls around, we're forced to fish further east than in past years just to find a few fish for our clients. And that puts us in the proposed reference area or the rockpile area, just to the north. If we're denied access to these areas, where will we go? Further east in April? That's a real safety concern, not to mention the extra fuel burn. Keep in mind that groundfish is the only game in town for us in April. We can't switch to tuna, shark, or striped bass until later in the year. Our clientele is from out-of-state and can fish for those other species closer to homes in NJ and NY. They travel to this region for the single purpose of landing groundfish, especially cod and haddock.

cc- Council, MB (2/10)

Ironically, the members of my association are zealous supporters of sound scientific research. Nothing would make us happier than supporting efforts that ensure a lasting and sustainable fishery. For example, we actively tag cod, wolffish, shark, tuna, and billfish (on canyon trips) to support various government cooperative research programs. It's a real stretch, however, to understand what possible incremental research benefit can come from denying public access to such a large area when weighed against the economic losses we stand to incur if this reference area is implemented. Don't forget, this is already one of the most studied stretches of ocean in the world. And our clients are already balking about the long trips east due to catch share. This will be a tough if not impossible sell...

I urge you to take no action with respect to the reference area(s) in the SERA II (DHRA) proposal. Denying public access and forcing the for hire boats into economic uncertainty cannot possibly outweigh the "research" benefits that would accrue. Especially when the selection of these areas is based on badly flawed VTR assumptions.

Yours Truly,

Capt. Charlie Wade

Captain Charlie Wade

Cc: Paul Diodati, Director, MA Division of Marine Fisheries
John Bullard, Northeast Regional Administrator, NMFS
Barry Gibson, Chair, Recreational Fishing Advisory Panel
Senator Elizabeth Warren
Congressman William Keating

John E. Richardson

10 Ringbolt Road, Hingham, MA 02043

jerinc@comcast.net

RECEIVED
FEB 06 2013
NEW ENGLAND FISHERY MANAGEMENT COUNCIL

February 5, 2014

Mr. Terry Stockwell
Council Chairman
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Mr. Thomas Nies
Executive Director
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Mr. Frank Blount
Chair, Groundfish Oversight Commitee
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Mr. Barry Gibson
Chair, Recreational Fishing Advisory Panel
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Re: Stellwagen DHRA Reference Area

Dear Mr. Stockwell, Mr. Nies, Mr. Blount, and Mr. Gibson:

Immediately after gaining support of local fisherman by promising that fishing restrictions would not be part of Sanctuary business and before the Stellwagen Bank National Marine Sanctuary was actually created, the proponents of today's Stellwagen Bank DHRA began the process of breaking the promise by requesting of the council an opportunity to draft fishing regulations within the Sanctuary. (*1) In the face of such an embarrassingly disingenuous power grab, the Council determined that "fishing regulations were not necessary to fulfill the goals and objectives of the designation", Sanctuary.

But today the Council, although not quite independently in my opinion, is considering getting into the business of habitat research. This is a noble goal if it can be done without the influence of the power grabbers and also if it can be done in a form consistent with the Magnuson Act, which does not provide for regulation for the sake of regulation, but rather requires making every effort to minimize impact on the fishing industry.

It is the Council that is charged with weighing the possible benefits of increasing restrictions against the loss to fishing-related businesses in the South Shore. This is clearly the wrong time, wrong place.

Beginning in 2011, charter and private recreational boats were forced further offshore by increased large dragger activity on Stellwagen Bank. This group of small boats must now fish east of 70-15 W to escape the impact of draggers. East of 70-15W, and in the range of most charter boats, there exists few areas for adequate ground fishing; two of them are the Southern and Northern Reference Areas, just recently proposed as Option A and Option B for hook-and-line closure.

cc: Council, AT, JC, MB (2/12)

This is where these guys fish. Using VTR data to locate where fisherman actually fish is nonsense. Using data from before charter boats were forced to move into the reference areas to fish is deliberately providing misinformation. Misinformation is a common policy in the practice of power grabbing, but not nearly as offensive as Dr. MacDonald's appalling suggestion: "They have other area and species options" (* 2) On the South Shore this quote is now known as the latest version of "let them eat cake".

The charter and recreational boats need these areas to fish. The local fishing-related communities need the economic benefits, which go way beyond the value of landings, as you are aware.

Adopting Option C establishes a DHRA without adding restrictions. It allows the greater majority of the prospective research to be possible without impacting the recreational and charter industry at their weakest point in history. Just as importantly, adopting Option C establishes, once again, the precedent that the Council determines the most effective measures for conserving and managing resources in this region.

Very truly yours,

John E. Richardson
Stellwagen Bank Charter Boat Association
Member and Director

(*1) Stellwagen Bank FEIS/MP Appendices, Appendix F: New England Fishery Management Council response to NOAA consultation under Section 305(b)(5) of Title III
(*2) MacDonald to Stockwell, Nies, Blount, and Gibson: January 14, 2014

Paul J. Turek
295 Park Street
Madison, ME 04950
207-696-8289
pauljturek@gmail.com

RECEIVED
JAN 3 .. 2013
NEW ENGLAND FISHERY MANAGEMENT COUNCIL

January 26, 2014

Mr. Tom Nies
New England Fishery Management Council
50 Water Street
Newburyport, Massachusetts 01950
Fax: 978-465-3116

Dear Mr. Nies:

Regarding the proposed habitat protection measures being considered by the New England Fishery Management Council (NEFMC), I strongly oppose any changes to the Western Gulf of Maine closed area and strongly support Alternative 1, No Action.

Any additional closed areas for the charter/party and recreational anglers will create an adverse effect on a sector that is already operating under rules with strict bag limits, minimum size limits, a hard TAC and a five-and-a-half month closed season on GOM cod.

The type of research that the Stellwagen Bank National Marine Sanctuary wishes to conduct in the proposed 55-square-mile "reference area" is unnecessary. There has been plenty of research conducted all over the world on unfished populations and the resulting fish sizes and stock structure, so there is likely very little new data that we will learn by closing this area to recreational bottom fishing. Furthermore, this proposed closure clearly does not justify the future socioeconomic impact on the recreational fishing sector.

As a saltwater angler, I do not personally fish for profit, though my fishing participation supports many local businesses, from tackle shops and for-hire captains to owners of restaurants and lodging facilities. If the SERA II and the "reference area" is put into place, anglers will be forced to transit greater distances up to 40 NM to find a few cod and haddock for the dinner table. We are already fishing over 28 NM from port, which has severely restricted our angling opportunities...this latest proposal will have a devastating impact on our recreational fishing community.

I would also point out that since catch share management was implemented, a concentration of large draggers fishing 24/7 on the bank in the winter and spring has

c: Council, MB (2/3)

forced the charter/party and recreational anglers to fish east of Stellwagen Bank in order to locate cod and haddock. A simple analysis of the past two years of vessel trip reporting data would clearly indicate this change in fishing location, much of which is now taking place in the proposed "reference area."

Our recreational sector always seems to be left out of focus when it comes to spotlighting NEFMC issues and initiatives; in reality, the socioeconomic importance of recreational fishing cannot be ignored in this critically important vote. I strongly support Alternative No. 1, No Action, and ask that the NEFMC recognize the significance of our recreational fishing industry in supporting this winnable solution.

Respectfully,

Paul J. Turek (Yankee Fleet Patron)

Paul J. Turek

PJT/rlt

CPF Charters "Perseverance"
P.O. Box 732, Brant Rock, MA 02020
(617) 291-8914
cpfcharters@yahoo.com
www.cpfcharters.com

RECEIVED
FEB 12 2013
NEW ENGLAND FISHERY
MANAGEMENT COUNCIL

February 12, 2014

Mr. Tom Nies
New England Fishery Management Council
50 West Street
Newburyport, Massachusetts 01950

RE: Proposed Designated Habitat Research Area ("DHRA") Stellwagen Bank National Marine Sanctuary ("SBNMS")

Dear Mr. Nies:

As an owner and operator of the charter boat "Perseverance" located in Green Harbor, Massachusetts that fishes the Stellwagen Bank waters and as a member of the SBNMS Advisory Council – Recreational appointment and NEFMC Enforcement Advisory Panel, I oppose any change to the Western Gulf of Maine ("WGOM") closed area and support *Alternative No.1, No Action* to the proposed habitat protection measures being considered by the NEFMC. In addition I cannot support at this time the DHRA presented at the NEMFC meeting in January and therefore support *Alternative 1 (No Action) – No DHRA designation* for SBNMS.

Denying access to these productive fishing grounds will have a devastating economic impact on the charter/party and recreational anglers and all of the businesses (marinas, tackle shops, coffees shops, restaurant, hotels, etc.) that rely on this industry.

The flawed catch share system has resulted in the poor status of the cod fishery that was at sustainable levels approximately 3 to 4 years ago. The proposed DHRA is within one of the last areas that are accessible to the fleet that provides fruitful levels of cod and other bottom fish. Until the flawed catch share system is modified there will continue to be a lack of fish at SBNMS.

Concluding that the proposed DHRA area is not an area utilized by charter boat/party recreational anglers based on Vessel Trip Reports ("VTR") is incorrect based upon how the coordinates are recorded on the VTRs. This flawed science does not accurately reflect the use of this area by the charter boat/party recreational anglers.

The DHRA proposes that no bottom fishing occur by the charter boat/party recreational anglers in this area in order to not have an impact on the cod or bottom fish that may be present in this area. Yet lobster traps will be permitted that regularly catch cod and bottom fish. This flawed science contradicts the purpose of the closure.

Enjoy your day of fishing aboard the "Perseverance" on a fully equipped Pursuit 3000 Offshore with a Marlin Tower and Outriggers depart from Green Harbor or Falmouth, MA.
Go to www.cpfcharters.com for details.

cc: Council, FH, JC, MB (2/14)

CPF Charters "Perseverance"
P.O. Box 732, Brant Rock, MA 02020
(617) 291-8914
cpfcharters@yahoo.com
www.cpfcharters.com

As set forth in the *SBNMS Final Management Plan and Environmental Assessment* dated June 2010, there are alternate "*offshore northeast continental shelf location that are suitable candidates*" for the research area. Why are the alternate offshore continental shelf locations not being considered as a result of the devastating economic impact to charter/party and recreational anglers and all of the businesses that rely on this industry?

Please do not deny the fleet and recreational angler's access to these productive fishing grounds.

If you have any questions please email or give me a call at (617) 291-8914.

Very truly yours,

Capt. Michael J. Pierdinock
CPF Charters, Charter Boat "Perseverance" Green Harbor, MA

Stellwagen Bank Charter Boat Association – Officer
Stellwagen Bank National Marine Sanctuary Advisory Panel – Recreational Appointment
NEFMC Enforcement Advisory Panel
Recreational Fishing Alliance - Member

cc: Mr. John Bullard, Administrator, NMFS
Mr. Paul Diodati, Director, MA. Division of Marine Fisheries
David Pierce, PhD MA. Division of Marine Fisheries
Mr. Barry Gibson, NEFMC RAP
Mr. Frank Blount NEFMC
Mr. Dave Preble NEFMC
Ms. Michele Bachman, NEFMC
Mr. Charles Wade, President, SBCBA

Enjoy your day of fishing aboard the "Perseverance" on a fully equipped Pursuit 3000 Offshore with a Marlin Tower and Outriggers depart from Green Harbor or Falmouth, MA.
Go to www.cpfcharters.com for details.

Here is my quick letter: I urge you to vote "NO CHANGE" to proposed 55 sq. mile habitat closure at the New England Fisheries Management Council meeting. The local economy tied to the recreational, charter, and party boat industry is already suffering greatly and any change will put many companies out of business.

This is getting ridiculous here.... First, the Catch Shares Management fiasco wiped all of the cod off of Stellwagen Bank in one winter. Our fishing went from OUTSTANDING to NON-EXISTENT in one year. That was 100% management's fault. We paid the price in many ways. We suffered. We lost a lot of money.

1. We had to travel further to find fish to catch. No longer were we able to travel 15-22 miles to Stellwagen in April, May, June, and October (Yes, we already gave up Nov., Dec., Jan., Feb., March, and ½ of April) to catch all of the fish that our customers "demanded" and have come to expect... Our trips became 33-40 miles to find scattered fish. This more than doubled our gas costs. That extra time aggravated customers. That extra distance increased the risk of traveling because of the often inclement and changing weather. This uncertainty causes many trips to be canceled out of caution. Those were trips that would have been run had we only had a short run to the fishing grounds, as we have had in the past.

2. Our customers didn't want to travel that far, so they didn't come back in the numbers they had in the past. Also, they didn't come back because the fishing wasn't as good as it was in the past. My cod trips are down 30+% (that's a decline of $15,000+ in case you were wondering, with no chance of making it up on the backs of other customers).

3. Many of our spring customers used to come back in the summer/fall....previously....we've lost those trips as well. By my estimates, I've lost $8,000-$10,000/year because of the lack of repeat customers).

4. Bait and tackle stores are suffering because "cod" is king to their business. People buy bait, jigs, lures, rods, reels for cod...but they also buy other gear there as well....but without the initial cod fishing gear, they don't come back either.

5. Marinas are hurting because A: people aren't fishing as much (less gas) and there are fewer boats in the marinas (people can't rationalize having a boat without a strong cod fishery). And repairs aren't as necessary because people aren't using their boats as much.

6. Hotels are missing out on significant off-season and high-season clientele. Our clientele, as charter boats, is primarily from OTHER STATES. By my estimates, 50% of our customers book rooms when they come here.

7. Yes, they eat in OUR LOCAL RESTAURANTS...if they were here.
...A $1,000 trip is worth nearly $2,000 to the local economy here.

FEB 18 20[illegible]
NEW ENGLAND FISHERY MANAGEMENT COUNCIL

Secondly, this proposal to close access to our last solid fishing grounds is outrageous because it will tip the scales and ruin the groundfishing business on the entire South Shore of Massachsuetts. Customers will not fish here if they know that they will have to run 40+ miles EACH WAY to fish. They will choose other ports that are closer to the fishing grounds or they will fish for other species altogether. Need I mention that closing such a large productive area will force every fisherman to concentrate their efforts in the few remaining areas that hold fish? Yes, the same number of fishermen fishing in 1/5 of the area.....those other areas are going to get wiped out.

There are HUNDREDS OF LOCAL BUSINESSES THAT WILL BE VERY ADVERSELY IMPACTED BY THIS RULING.

I STRONGLY URGE YOU TO VOTE "NO CHANGE" TO THE SERA PROPOSAL.

Sincerely,

Capt. Rich Antonino
Black Rose Fishing Charters
4 Sleepy Hollow Drive
Plymouth, MA 02360
508-269-1882

From: LLoyd Chenoweth <bamboosavefish@gmail.com>
Date: February 17, 2014 at 10:05:23 AM EST
To: Karen Roy <KRoy@NEFMC.ORG>
Subject: Please Forward to Recreational Advisory Panel

Advisory Panel Please Consider & Discuss:

To Prevent any waste from recreational fishing: Recreational Harvest limits are a total length limit, All fish caught regardless of size must be retained and count toward total Length retained.

Recreational Accountability Measures: When Accountability measures are triggered: Recreational & party charter vessels MUST HAVE BARB LESS HOOKS OR BAIT KEEPER HOOKS ONLY ON BOATS! and apply total length retention.
Panel should discuss why allowing dead discards is acceptable fishery management.
Panel could discuss why total length retention of any size fish to prevent discarding is not SOUND FISHERY MANAGEMENT!
AM SHOULD PREVENT WASTE {DISCARDS OF ALL FISH} Total length Retention & barb less hooks can & will prevent dead discards.

Thank You,

United National Fisherman's Association 123 Apple Rd. Manns Harbor NC

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Office of National Marine Sanctuaries
Stellwagen Bank National Marine Sanctuary
175 Edward Foster Road
Scituate, Massachusetts 02066
Tel: 781.545.8026 Fax: 781.545.8036

January 14, 2014

Mr. Terry Stockwell
Council Chairman
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Mr. Thomas Nies
Executive Director
New England Fishery Management Council
50 Water Street, Mill
Newburyport, MA 01950

Mr. Frank Blount
Chair, Goundfish Oversight Committee
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Mr. Barry Gibson
Chair, Recreational Fishing Advisory Panel
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Dear Mr. Stockwell, Mr. Nies, Mr. Blount, and Mr. Gibson:

The PowerPoint presentation accompanying this letter presents results of an analysis of the impact on charter boat and private recreational fishing of instituting the reference area in the proposed Stellwagen Designated Habitat Research Area (DHRA). The Stellwagen DHRA is Alternative 3 in the Omnibus Essential Fish Habitat Amendment 2 Draft EIS, as revised at the December 2013 meeting of the New England Fishery Management Council (NEFMC or Council). At that meeting three options were included in the revision: (a) southern reference area; (b) northern reference area; and (c) no reference area.

Public comment opposing this Alternative (when it included only option "a" above) was sent to the Council for its December meeting. The comments made claims unaccompanied by actual analysis of fishing effort in the proposed reference area. We provide the results of our analysis to assist the deliberations of the Council on this Alternative and for consideration by the NEFMC Recreational Fishing Advisory Panel at its upcoming January 22, 2014 meeting. These analyses are offered supplemental to the comprehensive economic impact analyses being conducted by the NOAA Northeast Fisheries Science Center on this and other Amendment Alternatives.

The essential purpose of the proposed reference area is to allow valuable assessments of the role that groundfish removals play in mediating habitat recovery and how that affects the productivity of managed species. Significantly, recreational fishing accounted for 20-31 percent of total cod removals from the Gulf of Maine from 1999 through 2011. Citations in the PowerPoint presentation are referenced to supplement the analysis. The following summary results derive from analysis of charter boat Vessel Trip Report (VTR) data and data from the 2010 Massachusetts Recreational Boater Survey.

Neither of the proposed reference area options would have major impact on either charter boat fishing or private recreational fishing. In 2012, for example, 41-43 percent of all fishing trips in both proposed reference areas were made by just two boats. In general, 30 charter boats or less fished both of the proposed reference areas annually during 1996-2012, with four boats accounting for 41-100 percent of all trips each year during this period. Relatively few charter boats trips were made per year within each of the proposed reference areas compared to the total number of trips made elsewhere in Statistical Area 514.

Charter boats fish for more than just groundfish (e.g., Bluefin tuna, pelagic sharks, striped bass [in State waters]). They have other area and species options. And private recreational fishing is not a prevalent activity in the Stellwagen DHRA based on the most rigorous survey of recreational boating conducted to date. There were no "areas fished" reported within either of the proposed reference areas. An "area fished" is an activity area polygon where the boater designated fishing as the primary activity. The survey data analyzed was all routes and activity areas provided by Mass Ocean Partnership (SeaPlan).

I appreciate the opportunity to provide the results of these analyses for the Council's consideration. I would welcome the opportunity to make and discuss this PowerPoint presentation at the upcoming NEFMC Recreational Fishing Advisory Panel meeting. In contrast to the effect of commercial mobile and fixed fishing gear on seafloor habitats in the northeast, little to nothing is known about the mediating effect of groundfish removals by recreational fishing. A reference area included within the Stellwagen DHRA would enable that understanding.

Sincerely,

Craig D. MacDonald, Ph.D.
Superintendent

Enclosure

cc:
Mr. John Bullard, Northeast Regional Administrator, National Marine Fisheries Service
Dr. David Pierce, Deputy Director, Massachusetts Division of Marine Fisheries
Mr. Andrew Applegate, Ecosystems Based Management Coordinator, NEFMC
Ms. Michelle Bachman, Fishery Analyst, NEFMC

National Marine Sanctuaries
National Oceanic and Atmospheric Administration

NATIONAL MARINE SANCTUARIES

NOAA

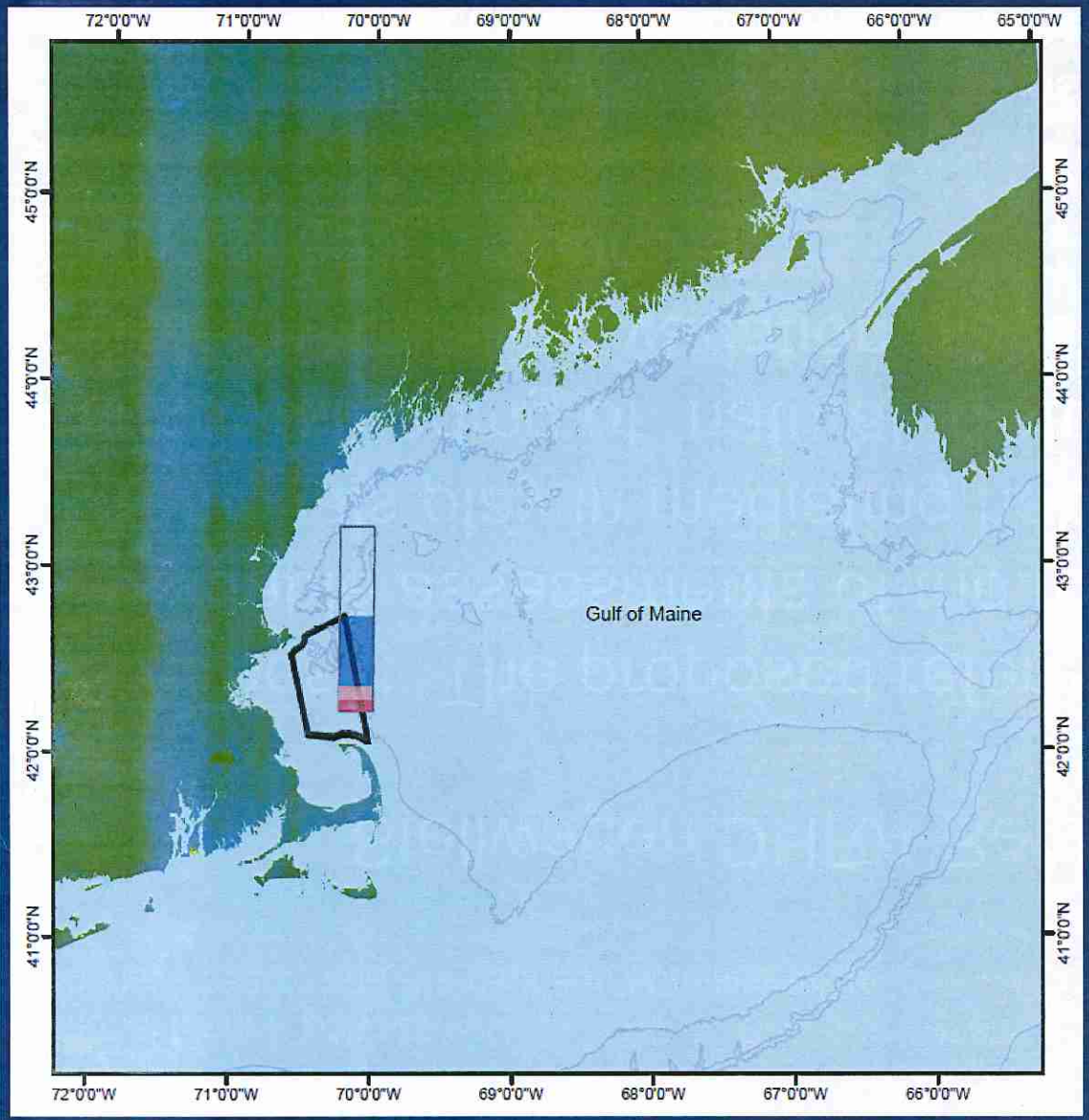
Stellwagen DHRA Reference Area

Purpose: The proposed reference area allows valuable assessments of the role that groundfish removals play in mediating habitat recovery, our understanding of "natural" disturbance, and the role that habitat variation plays in productivity of managed resources.

Recreational fishing has accounted for as much as 31% of the total cod removals from the Gulf of Maine over the last decade.

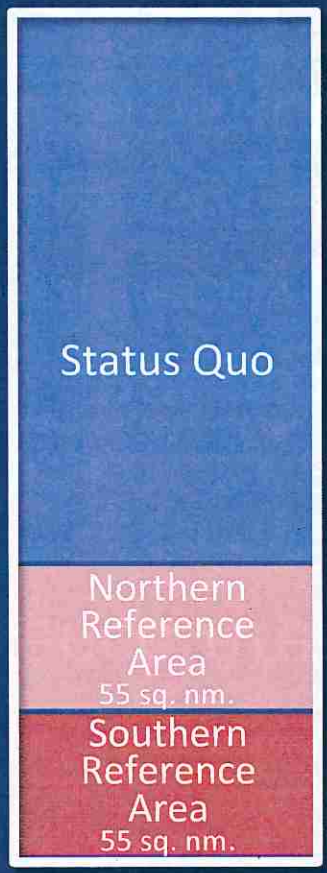
Source: Northeast Fisheries Science Center. 2013. 55th Northeast Regional Stock Assessment Workshop (55th SAW) Assessment Report. US Dept Commerce, Northeast Fish Sci Cent Ref Doc. 13-11; 845 p

National Marine Sanctuaries
National Oceanic and Atmospheric Administration



Spatial Configuration & Regulatory Needs for Proposed Stellwagen DHRA

(343 sq. nm.)



WGOM Closure Area Groundfish & EFH Status Quo

Status Quo Plus Exclusion Party/Charter & Recreational

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Analysis of Charter Boat VTR Data

- In 2012, 41-43% of all trips in both of the proposed reference areas were made by just two boats
- In general, 30 charter boats or less fished both of the proposed reference areas annually during 1996-2012, with 4 boats each year accounting for 41%-100% of all trips during this period
- Both proposed reference areas account for a small number of all trips in Statistical Area 514
- Charter boats fish for more than just groundfish (i.e., Bluefin tuna, sharks, striped bass [in state waters]) and have other area and species options

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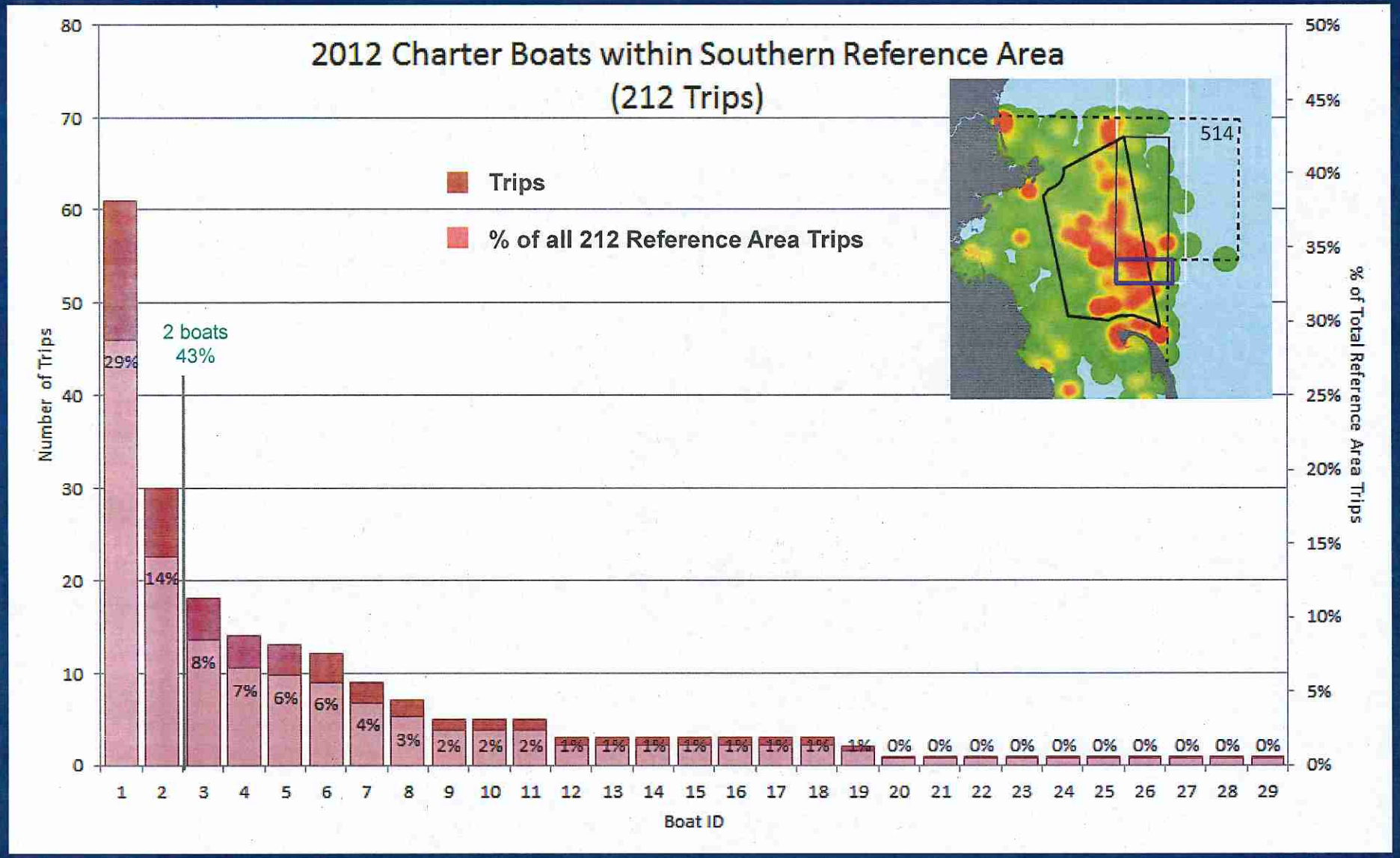
NATIONAL MARINE SANCTUARIES

NOAA



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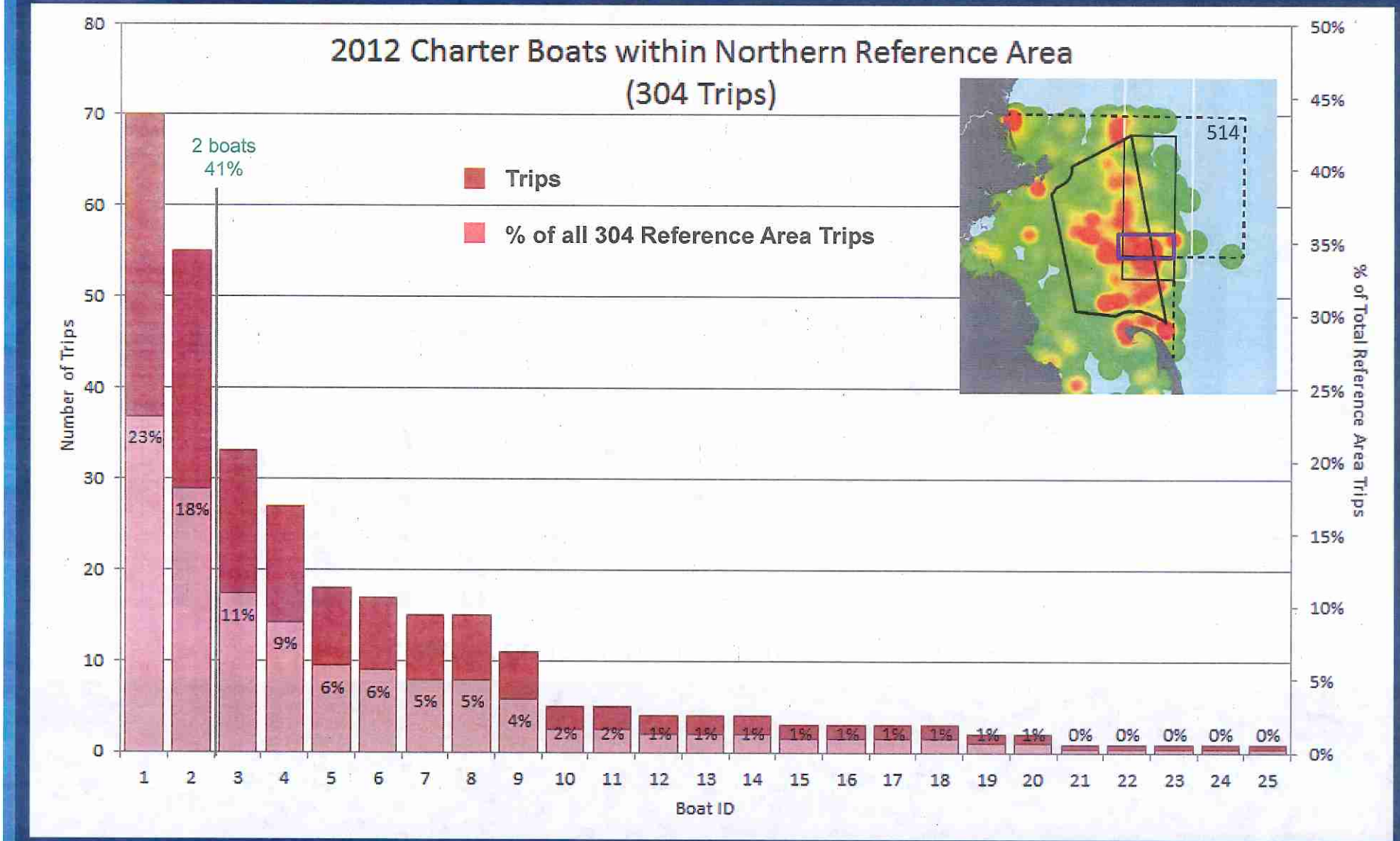

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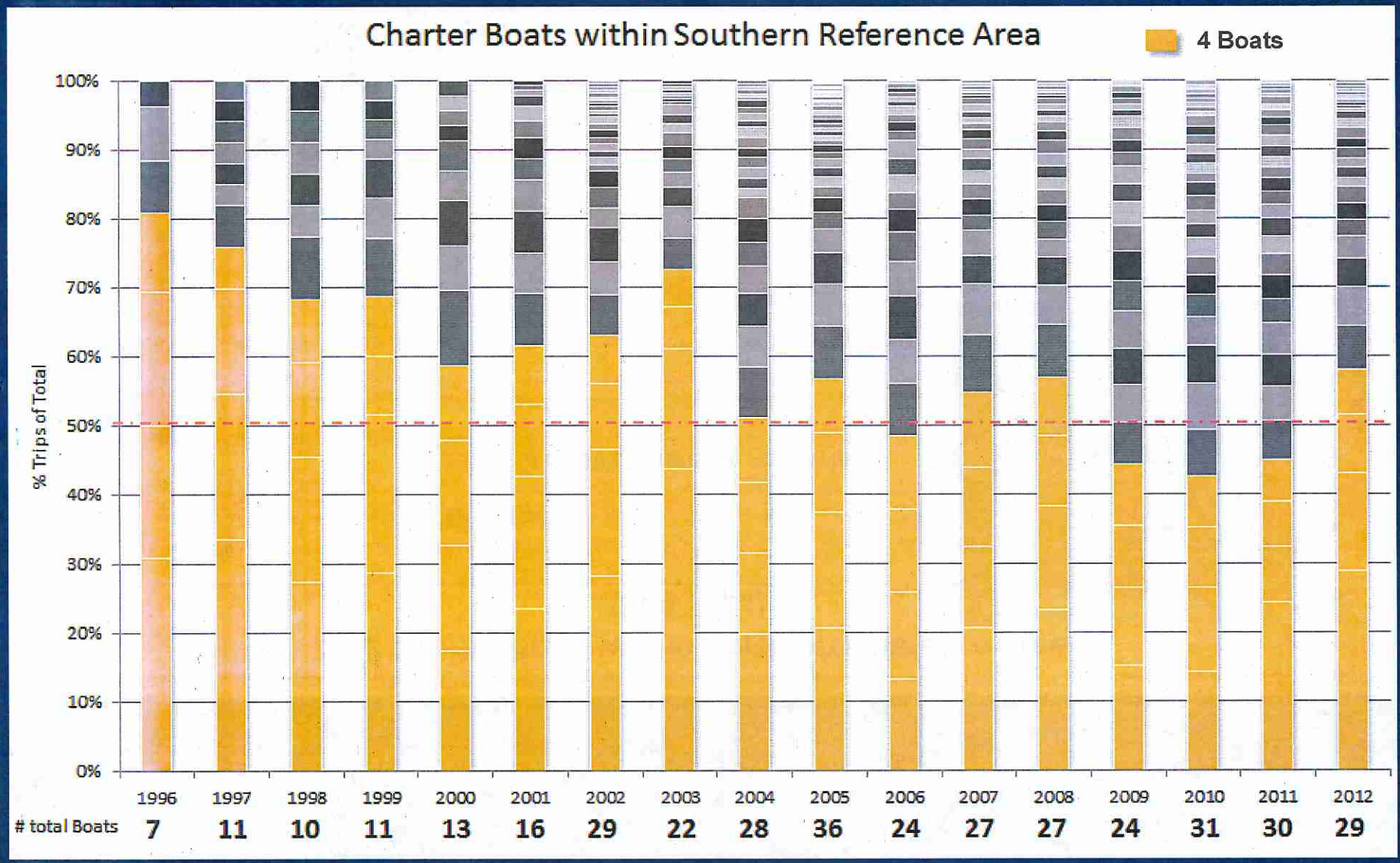

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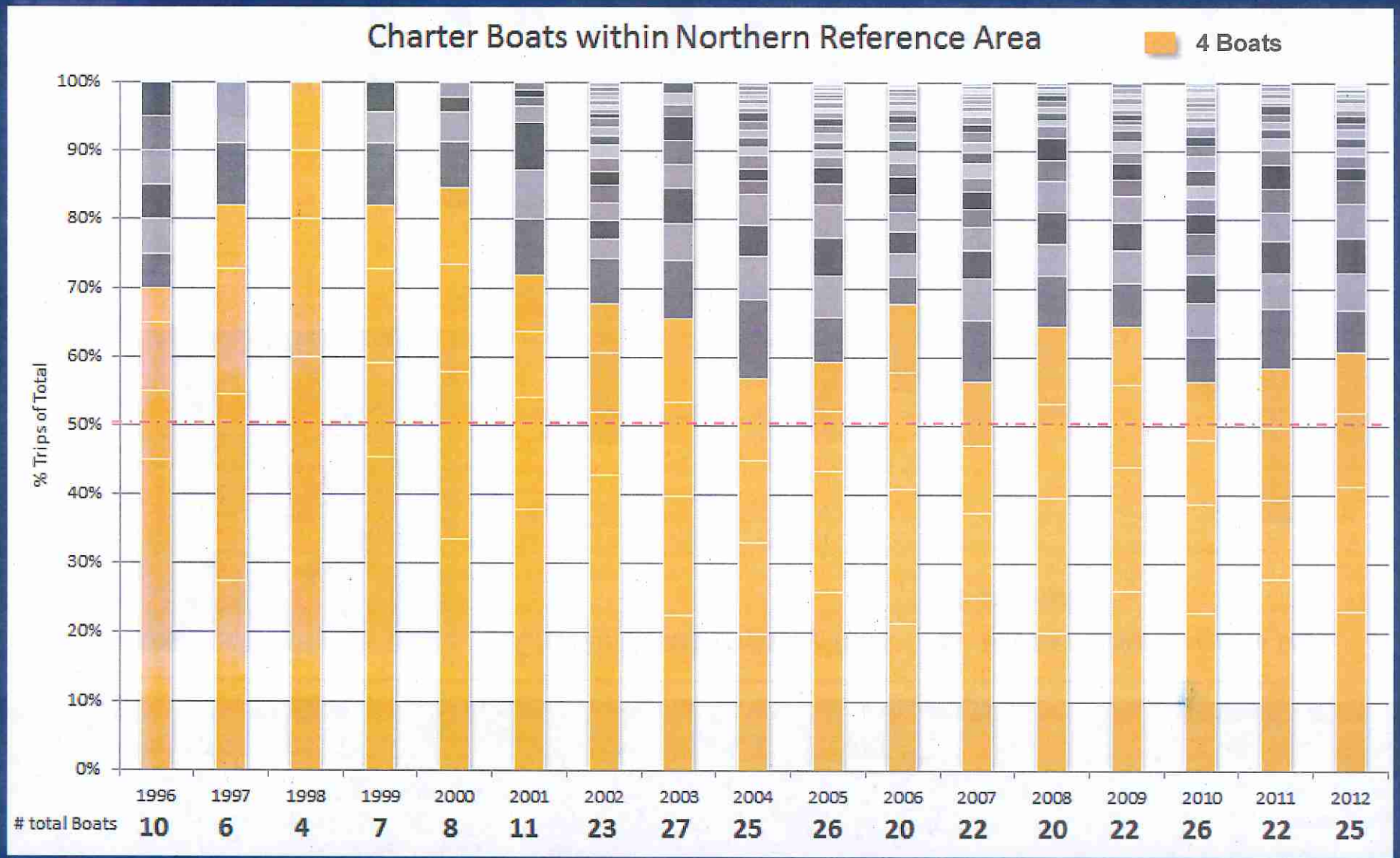

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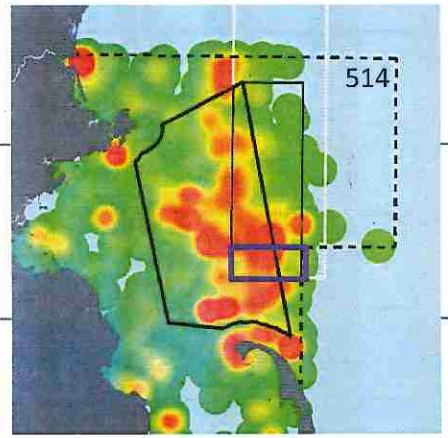

Charter Boat Trips by Year

Southern Reference Area Trips
514 Trips

Trips

3000
2500
2000
1500
1000
500
0

1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012

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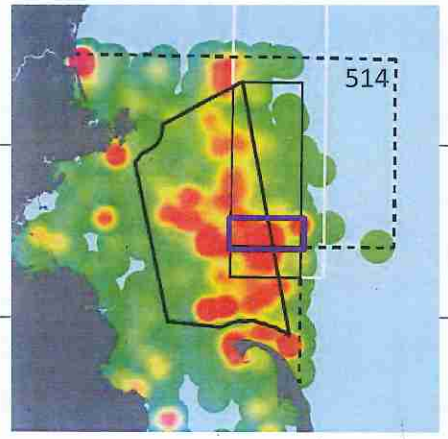

Charter Boat Trips by Year

Northern Reference Area Trips
514 Trips

Trips

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0

1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012

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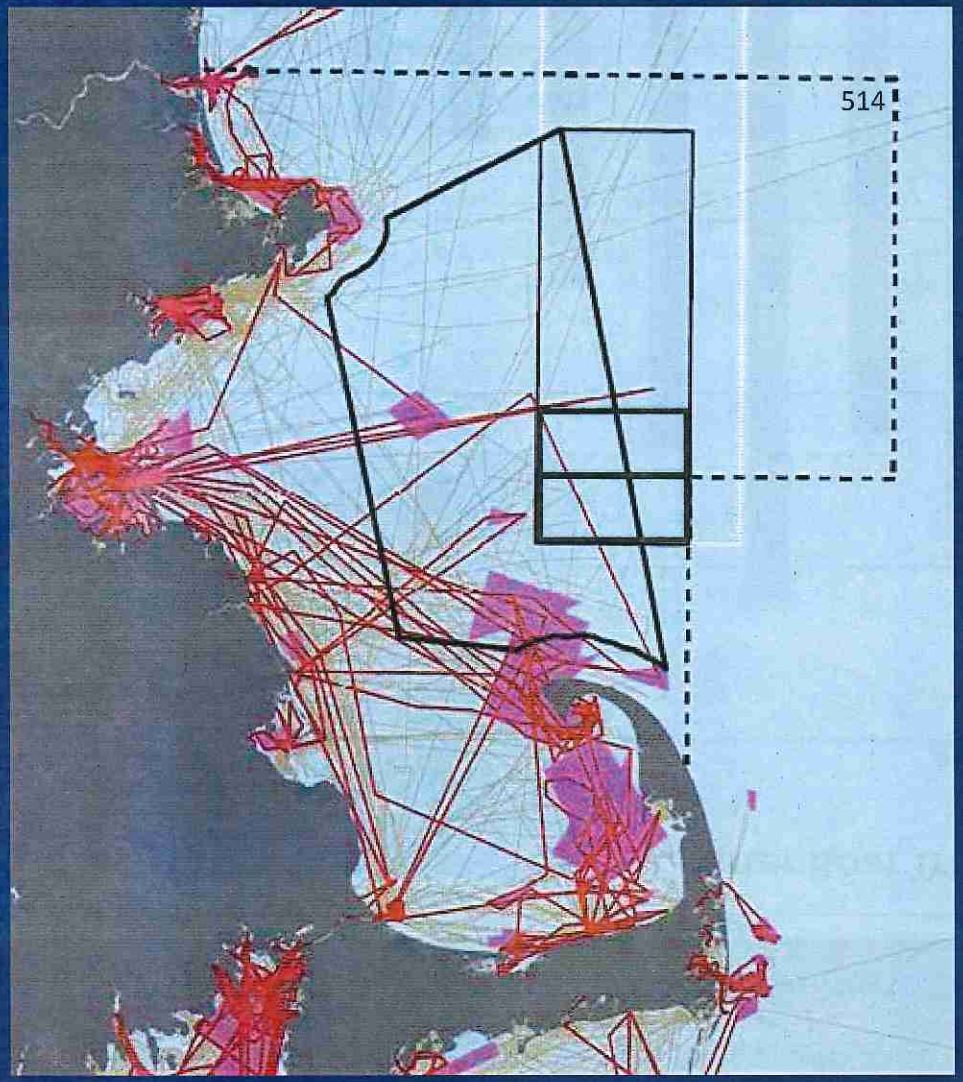

Private Recreational Fishing

Purple polygons = Areas Fished
Red lines = Routes Fished

- Survey May – October 2010
- Last trip of each month
- 430 areas of activity in the spatial dataset, of which 192 (44.7%) involved fishing
- Six 'areas fished' (3.1%) were in SBNMS
- No 'areas fished' are in either of the proposed Reference Areas

Source: 2010 Massachusetts Recreational Boater Survey, Tech. Rpt#03.UHI.11, Massachusetts Ocean Partnership, June 2011