

Science, Service, Stewardship



Scientific Research Activities, Scientific Research Catch

Ryan Silva
Cooperative Research Liaison
Sustainable Fisheries Division
Northeast Regional Office

June 20, 2011

NOAA
FISHERIES
SERVICE



Issue Summary

- Discretion Over Scientific Research Activities
 - Regional Office role regarding scientific research activities

- Disposition of Scientific Research Catch
 - Sale of research catch; and
 - Accounting for research catch

- Agenda:
 - Experimental fishing regulations
 - Discretion over research
 - Disposition of catch
 - Accounting for research catch
 - Trends
 - Discussion



Experimental Fishing Regulations

- Magnuson-Stevens Act (MSA) Sec. 3 definition for fishery: “Such term does not include any scientific research activity which is conducted by a scientific research vessel.”
- Experimental fishing regulations: 50 CFR 600.10, 600.512, 600.745, 648.12
- Vessel documentation for federally permitted vessel



Letter of Acknowledgment (LOA)/ Exempted Fishing Permit (EFP)

LOA	EFP
Not fishing	Fishing
Not required	Required
Exempt from MSA (and regulations)	Regulations apply w. specific exemptions
Eligibility: Yes or no	Public comment, environmental review



Letter of Acknowledgment

- Key phrase: Scientific research vessel conducting a scientific research activity
- Purpose: Acknowledge scientific research by scientific research vessel, and therefore, exempt from MSA control
- RO process:
 - Evaluate merit of the study and institution, and ensure study meets scientific activity by scientific research vessel criteria (as defined in regulations under MSA)
 - Issuance process and notification



Letter of Acknowledgment

- Not required, highly recommended
- Scientific research by scientific vessel is not fishing
 - Any catch that occurs is considered incidental to research
 - Not currently applied against fishery quota (e.g., ACE)
- Sale of catch not prohibited, does not change research to “fishing”
- Scientific research activity does not include the collection and retention of fish outside the scope of the applicable research plan



Magnitude and Trends

- Magnitude
 - Past: Minimal
 - Present: Active LOAs (19 projects total); sale of catch (9 projects, approximately 220 sea-days)
- Trends
 - 2009 experimental fishing regulation amendment
 - Conservation engineering authorized to qualify as scientific research activity
 - Affirmation that catch incidental to research may be sold
 - Reauthorization and ACLs/AMs
 - Greater policy awareness
- Keeping track of funded research
 - 90% through primary cooperative research funding vehicles (RSA, CRP, NEC, CFRF, S-K)
 - Other funding sources: Earmarks, Sea Grant, National Fish and Wildlife Foundation, Bycatch Reduction Engineering Program



Accounting and Monitoring

- Summary: EFP catch VS. LOA catch
- National Standard 1: Research catch must count against Optimum Yield (OY)
- Scientific research catch accounting
 - Relatively minor component of overall mortality
 - Northeast Region FMPs do not explicitly account for scientific research catch
- Scientific research catch monitoring
 - Dealer data, report data
 - Documentation and archiving



Moving Forward...

- Communication and coordination
 - Regional Office report to Research Steering Committee
 - Expanded status of action report
 - Expand distribution of LOAs and EFPs



Questions...