



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

MAR 22 2010



Mr. John Pappalardo, Chairman
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear John:

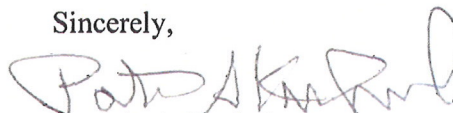
I am writing to comment on the development of catch reporting and monitoring alternatives for Amendment 5 to the Atlantic Herring (Herring) Fishery Management Plan (Amendment 5).

Amendment 5 considers both minor and major changes to improve catch reporting and monitoring. At the August 24, 2009, Herring Oversight Committee (Committee) meeting, my staff expressed concern with Amendment 5 establishing new monitoring programs, without identifying funding sources for these programs. I reiterate that concern. Minor changes to catch reporting (e.g., increasing the frequency of catch reporting, expanding the use of vessel monitoring systems, expanding notification requirements) can likely be administered with existing National Marine Fisheries Service (NMFS) resources. However, the development of new monitoring programs (e.g., at-sea or dockside monitoring, video-based electronic monitoring, catch monitoring and control plans) or specific requirements for existing monitoring programs (e.g., 100% NMFS observer coverage) would require new funding sources. Objectives can be specified in the amendment, but observer coverage needs will continue to be assessed through the Standardized Bycatch Reporting Methodology process. The draft Amendment 5 document does not currently identify new funding sources for these programs, and relying on redirected NMFS resources to build and administer these programs is not feasible. I urge the Committee to continue to develop Amendment 5, and in doing so, identify funding sources for alternatives establishing new or significantly expanding existing monitoring program. Without additional funding, these alternatives are not viable.

At the August 2009 Committee meeting, my staff also discussed with the Committee that certain fishery practices (e.g., transferring catch at sea, transporting catch aboard carrier vessels, buying and selling catch at sea) make it difficult for NMFS to track herring catch, and asked the Committee to consider alternatives to modify complicated fishery practices to improve monitoring. Alternatives that limit transfers between vessels with possession limits, structure the activities of herring carrier vessels, and modify reporting requirements to provide for the buying/selling of catch at sea could greatly improve the efficiency of catch monitoring.

My staff outlined minor notification and reporting changes that we think will improve both the accuracy and efficiency of herring monitoring. These recommendations were shared with New England Fishery Management Council staff and are enclosed with this letter. Improving catch reporting and monitoring in the herring fishery are important aspects of Amendment 5, and I encourage the Committee to develop alternatives that effectively achieve these goals.

Sincerely,


Patricia A. Kurkul
Regional Administrator



Catch Reporting Recommendations for Herring Amendment 5

	Current	NERO Recommended
VMS Declaration	Limited access vessels (Category A, B and C vessels) declare "HER" prior to leaving port, or "DOF" if targeting a non-VMS species.	Same as current requirements, plus gear declaration to facilitate enforcement of midwater and purse seine LOAs.
	Herring vessels may turn off VMS units while in port.	Herring vessels must request a power down exemption (consistent with other FMPs).
Limited Access Notification Requirements	For Category A and B midwater and purse seine trips: <ul style="list-style-type: none"> • Notify NMFS OLE via VMS 6 hrs prior to landing; • Obtain an LOA; • Notify observer program 72 hrs before departure; • Carry observer if requested. 	Extend both observer and OLE notification requirement to all limited access vessels.
Limited Access Catch Reporting	IVR: Limited access vessels must submit a catch report via IVR each week by midnight on Tuesday (for the preceding week).	VMS: Herring landings and discards reported through VMS either <i>daily or at each offloading</i> , including: <ul style="list-style-type: none"> • Herring lbs kept and discarded; • Date and stat area where fish were caught; and • Trip identifier number.
	VTR: Monthly.	VTR: Weekly (vessels that also have groundfish permits will begin this in May 2010).
Open Access Catch Reporting	IVR: Vessels that land more than 2,000 lbs of herring on any trip in a week must report via IVR each week by midnight on Tuesday (for the preceding week).	Eliminate IVR reporting requirement.
	VTR: Monthly.	VTR: Weekly.
Carrier Reporting Requirements***	<ul style="list-style-type: none"> • LOA • Monthly VTR; • Carry an observer if requested; 	<ul style="list-style-type: none"> • LOA or at-sea dealer permit • Carrier declaration through VMS • No VTR reporting • Observer and OLE notification requirements

***Carriers are also subject to their vessel permit notification/reporting requirements.