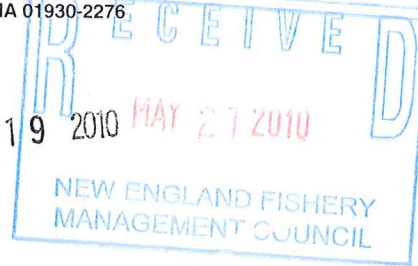




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276



James M. Dwyer, Jr.
Fish Lumpers Union
114 MacArthur Drive, Suite #6
New Bedford, MA 02740

Dear James:

I am writing in response to your letter dated April 22, 2010, regarding the establishment of an offloading window for all Northeast commercial fishery species. In that letter, you explained that a 12-hr offloading window had worked well in the past for the scallop fishery, and noted that there currently is an offloading window for the American lobster and fluke fisheries in Massachusetts. Further, you suggested that establishing a 12-hr offloading window for all species would help accommodate the increased workload for dockside monitors under the revisions within Amendment 16 to the Northeast Multispecies Fishery Management Plan, which became effective May 1, 2010. Lastly, you stated that an offloading window would improve the quality of life for members of the Fish Lumpers Union.

NOAA's Office of Law Enforcement has endorsed this concept, as it would improve their ability to monitor landings. Given this, NOAA's National Marine Fisheries Service will encourage the New England Fishery Management Council to further consider this suggestion.

If you have additional questions, please contact my staff at (978) 281-9315.

Sincerely,

Patricia A. Kurkel
Regional Administrator

Enclosure (1)

- cc: Honorable Scott W. Lang, Mayor of New Bedford, MA.
- Paul J. Howard, New England Fishery Management Council
- Shawn Eusebio, NOAA Office of Law Enforcement
- Lenny Roberts, Environmental Police
- Patrick Moran, Environmental Police

cc: TN, LG, Council (5/25)





Fish Lumpers Union

LOCAL 1749 I.L.A.
AFFILIATED WITH THE AFL-CIO



STEPHEN LACOMBE
President

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Secretary Treasurer
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Vice President

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E-Mail jdwyer44@comcast.net

NEW ADDRESS

114 MacArthur Drive, Suite 60
New Bedford, MA 02740

April 22, 2010

Patricia A. Kurkul
National Oceanic and Atmospheric Administration
55 Great Republic Drive
Gloucester, MA 01930-2276

Re: Groundfish 12 hr. off-loading time

I have worked at this job for fifty years. Also I have provided services to the National Marine Fisheries law enforcement offloading seized violations. I have had a good relationship with this organization and the Agents.

Please allow me to express some thoughts for your consideration while making decisions on this matter.

1. We have a window for LOBSTERS and FLUKE. Why not a window for all species.
2. We had a window back in 1990 for scallops. (5 a.m. to 5 p.m.) Those hours worked very well.
3. What is a better time to put a window to monitor. This fish- ing will have monitors coming May 1, 2010.
4. Yes, you will get a negative response by some of the industry, indicating that it will not be feasible. We do have many self- serving. They will say we will have a back up of boats. It will not be the case. These days we have no volume to offload. A big day is 250,000lbs. and the system is 24/7 around the clock. We had millions to offload every day back in 1960 thru 1980. We would start at 9 a.m. and complete the offloading operation by 6 p.m.

5. The 24/7 Creates

1. No Quality of Life
2. Unhealthy Situation
3. A Safety Issue
4. We have lost the better workers, could not deal with these conditions.
5. There are many in the industry who feel as I do, However they will not speak up because they are afraid of the repercussion.

6. There are many other benefits to a 12 hr. offloading clock.

Thank you very much for your attention to this important matter.

I can be available at any time that is convenient for you.

Sincerely,



James M. Dwyer, Jr.

Treasurer-Secretary and Business Agent

cc: Honorable Scott W. Lang
Douglas Christel, NMFS/NOAA
Paul J. Howard, New England Fishery Management Council
Shawn Eusebio, NOAA/Law Enforcement Division
Lenny Roberts, Environmental Police
Patrick Moran, Environmental Police

Lou Goodreau

#11

From: Rodney M. Avila [rodavila@comcast.net]
Sent: Monday, June 07, 2010 3:21 AM
To: Lou Goodreau
Subject: FW: observer safety inspection issue
Follow Up Flag: Follow up
Flag Status: Red

Lou ,
 This should be addressed this makes the fifth incident like this that I know of. It happened on my boat and the boat made two trips with the EPRIB not working.

From: Eric Brazer [mailto:eric@ccchfa.org]
Sent: Wednesday, June 02, 2010 8:16 AM
To: 'Rodney M. Avila'
Subject: RE: observer safety inspection issue

Hi Rodney,

Just following up on this.... were you able to get clarification from NMFS and USCG? I'm around all week if you have a few minutes to talk.

Thanks,
 Eric

 Eric Brazer, Jr.
 Manager, GB Cod Fixed Gear and Hook Sectors
 Fisheries Policy & Management Coordinator, CCCHFA
 210-E Orleans Road, North Chatham, MA 02650
 508.945.2432 (phone)
 508.945.0981 (fax)
eric@ccchfa.org

From: Rodney M. Avila [mailto:rodavila@comcast.net]
Sent: Friday, May 07, 2010 4:46 AM
To: 'Eric Brazer'
Subject: RE: observer safety inspection issue

Erick,
 This has happened a lot on one of my boats the observer dropped the EPRIB cracked the antenna put it back in the case never told the captain the boat sailed with the observer on board made a second trip without an observer. After the second trip IMP conducted a monthly safety drill on my boat and found the EPIRB was not sending a signal. I had the replace the antenna , that boat made two trips without an operational EPRIB. I have reported this to both Amy & Mike Tork , this has happened on several boats if I recall its been about seven or eight boat not counting the boat you mentioned.
 I will bring this up to NMFS & the CG.

I am in North Carolina will be home the middle of next week I will call you .

Rodney

06/09/2010

May you always have fair wind and calm seas!

From: Eric Brazer [mailto:eric@ccchfa.org]
Sent: Thursday, May 06, 2010 2:34 PM
To: rodavila@comcast.net
Cc: 'Scott Donahue'
Subject: FW: observer safety inspection issue

Rodney,
Just wanted to make you aware of this issue. Its a situation that came up yesterday on one of our vessels. Any input or information you could share would be greatly appreciated.

Interim Sector Manager,
Scott Donahue

Eric Brazer, Jr.
Manager, GB Cod Fixed Gear and Hook Sectors
Fisheries Policy & Management Coordinator, CCCHFA
210-E Orleans Road, North Chatham, MA 02650
508.945.2432 (phone)
508.945.0981 (fax)
eric@ccchfa.org

From: Eric Brazer [mailto:eric@ccchfa.org]
Sent: Thursday, May 06, 2010 9:46 AM
To: 'Amy.Van.Atten@noaa.gov'
Cc: 'Sarah Cierpich'; 'william.donaldson@mragamericas.com'; 'Tom Dempsey'; 'Scott Donahue'
Subject: observer safety inspection issue

Amy,
F/V Gulf Venture had an AIS observer yesterday monitoring his trip. During his safety inspection the vessel's EPIRB was not replaced properly and not secured safely to the vessel. The Captain did not notice this until returning to port and took a picture of the EPIRB (attached). This is a huge safety hazard and luckily it was not rough enough at sea yesterday to completely dislodge the EPIRB. These situations are a safety hazard to the observer, vessel and crew (not to mention an enormous liability issue for you).

We need to figure out a process where the observers do not need to check the safety equipment every trip, so that we limit the possibility of such problems occurring. The solution that has been repeatedly brought up in the past is a safety checklist, which would need to be updated once every month or three months by the observer. Please get back to me with any thoughts or opinions and how we can quickly solve these safety issues.

Having individuals carelessly handling important safety equipment on fishing vessels puts lives at risk. We cannot afford to waste time before fixing this problem.

Eric Brazer, Jr.
Manager, GB Cod Fixed Gear and Hook Sectors
Fisheries Policy & Management Coordinator, CCCHFA
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06/09/2010

