

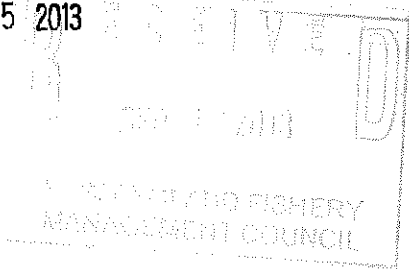
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UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
55 Great Republic Drive  
Gloucester, MA 01930-2276

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

SEP - 5 2013



Dear Tom:

After reviewing the agenda for the September New England Fishery Management Council (Council) meeting, I want to reiterate some of the points made in my letter of July 22, 2013, regarding potential alternative gear stowage methods to ensure the Council understands my position on the issue.

As previously stated, I support approving additional gear stowage methods under my authority, provided at 50 CFR 648.23(b)(5). However, this authority does not provide me with the ability to eliminate current gear stowage regulations; rather it only allows me to approve additional methods or modifications of existing methods through publication in the Federal Register. Any proposed changes to the existing regulations must come through a Council action.

In addition, any alternative gear stowage method proposed by the Council must be one that the U.S. Coast Guard finds acceptable, enforceable, and likely to enhance safety at sea. I encourage the Council to work closely with the U.S. Coast Guard, through its Enforcement Committee, to ensure that the Coast Guard can support any recommended methods that the Council might propose. Like you, I seek to increase fishing vessel safety at sea and vessel efficiency and hope that we can work to implement an effective alternative gear stowage method.

Sincerely,

John K. Bullard  
Regional Administrator

cc: CBl, LG (9/10)





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National Oceanic and Atmospheric Administration  
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JUL 22 2013

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

Dear Tom:

As you know, we recently published a final rule in the Federal Register implementing Framework 48 to the Northeast Multispecies Fishery Management Plan. Prior to the final rule, the Framework 48 proposed rule contained a measure that proposed to remove the on-reel trawl gear stowage provision when transiting closed areas for groundfish trawl vessels. This issue was originally brought to the Vessel Monitoring System and Enforcement Committee (Committee) because of safety at-sea issues. However, as this provision was being developed, the measure that ended up in the Council's Framework 48 was significantly modified from the Committee's original recommendation. Due to public comment received on the proposed rule, enforcement concerns, and the inconsistency across fisheries that this measure would have created, the proposed gear stowage revisions were disapproved in the Framework 48 final rule.

Since the measure was disapproved, the safety at-sea concerns remain. To address these concerns, we were considering implementing the 'snow/construction fence' that the Committee, U.S. Coast Guard, and the fishing industry supported and previously tested through at-sea trials. My staff conveyed this to the Committee at its June 5, 2013, Committee meeting, and it was unclear whether the Committee was comfortable moving forward with this gear stowage method at this time. Because the Committee has already done a considerable amount of work on this matter and because gear stowage regulations are primarily an enforcement tool, I request that your Committee clarify whether they support the 'snow/construction fence' alternative and if not, whether they plan to continue researching safer gear stowage methods for on-reel trawl gear stowage. If the Committee is able to develop an approach acceptable to all the relevant parties, we will work with you to implement an additional stowage method, under my authority, provided at 50 CFR 648.23(b)(5), which allows us to approve additional gear stowage methods and implement them through publication in the Federal Register. I am sure we can work together to mitigate the remaining safety at-sea concerns.

Sincerely,

for John K. Bullard  
Regional Administrator

