

Correspondence

#11a



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 2 2009



Paul J. Howard, Executive Director
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Dear Paul:

The draft sector monitoring standards presented at the November New England Fishery Management Council (Council) meeting were intended to define criteria used to certify and approve the service providers that sectors must hire to develop the independent, third-party weighmaster/dockside monitoring system proposed in Amendment 16 to the Northeast Multispecies Fishery Management Plan. These were based upon the following motion adopted at the October 30, 2008, Groundfish Oversight Committee (Committee) meeting:

Motion: To recommend to the Council that we ask the NMFS for monitoring standards for vendor approval based on the Canadian program that was provided to us previously, and based on the model used for the scallop industry.

While the draft standards developed in response to this motion do not include specifics regarding data elements that should be reported and the format for such reports, the existing document does contain basic information regarding data elements that should be reported by both dockside and at-sea monitors. The data elements currently in the document (*i.e.*, that dockside monitors should simply validate dealer landings and at-sea monitors should report area fished as well as catch and discards by species by gear type) were originally proposed as part of the broadly-defined sector monitoring requirements and adopted by the Committee and the Council at their August and September meetings, respectively. Therefore, the most recent draft standards did not include additional information in this regard.

Representatives from the Northeast Region's Fisheries Statistics Office, the Northeast Fisheries Science Center, and NOAA's Office of Law Enforcement continue to discuss outstanding sector monitoring issues, including issues raised in your letter regarding the utility, formatting, accessibility, and storage of sector-reported data. Once these issues have been addressed, any recommendations from NMFS will be forwarded to both the Committee and the Council.

Sincerely,

Patricia A. Kurkul
Regional Administrator

cc: Northeast Fisheries Science Center



cc: CBSK, TN, Council (1/7)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 Northeast Fisheries Science Center
 166 Water Street
 Woods Hole, MA 02543-1026

(1)
 #116

December 24, 2008

JAN 08 2009

Capt. Paul J. Howard
 Executive Director
 New England Fishery Management Council
 50 Water Street
 Newburyport, MA 01950

Dear Capt. Howard:

Subject: Request for Species Report for Atlantic Wolffish

Thank you for your correspondence of December 12, 2008, requesting expedited information on the status of Atlantic wolffish and a separate report on this species by January 15, 2009.

The Report of the Peer Review Panel for the Data Poor Stocks is scheduled for completion in mid-January and will be released by the Center shortly thereafter. We are not in a position to selectively release sections of the Review Panel Report until it is complete and final. Furthermore, final editing of the complete Science Report is contingent on the conclusions of the Review Panel Report. One of the focal points of the Data Poor Stocks Working Group and Peer-Review Panel was the proper characterization of the uncertainty of the estimates. This characterization is critical for both the provision of scientific advice and in providing a context for management actions. Therefore, we feel it is essential to wait until the final report of the Review Panel has been received. To do otherwise would compromise the peer-review process. We also feel that it is important to allow for completion of the scientific review process because of potential consequences of the petition to consider listing Atlantic wolffish under the Endangered Species Act.

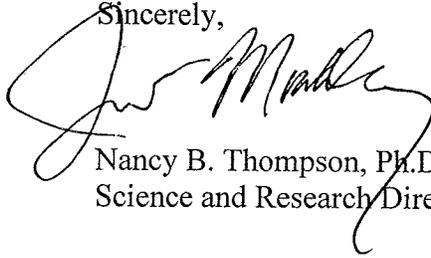
We have accelerated the preparation of the scientific review as much as possible given the normal patterns of vacations and leave during late December. As you probably know, the Mid-Atlantic Council and the Atlantic States Marine Fisheries Commission have also made requests for expedited delivery of various sections of the report. Our goal is to disseminate the final report of the Review Panel as soon as possible. This will be followed closely by a composite Center Reference Document with details of the findings and supporting documentation for all the species considered at the December 2008 Data Poor Stocks meeting.



cc: Council, TN, CD, CBK (1/9)

In summary, we will be releasing the Peer Review Panel Report and the Science Report as soon as we are assured that they meet the highest standards of scientific review.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy B. Thompson', written over the word 'Sincerely,'.

Nancy B. Thompson, Ph.D.
Science and Research Director

cc: Pat Kurkul
John Pappalardo
Frank Almeida
Richard Merrick
James Weinberg
Fred Serchuk
Paul Rago

#11c



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

December 12, 2008

Nancy B. Thompson, Ph.D.
Science and Research Director
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543-1026

RE: Request for Species Report for Atlantic Wolffish

Dear Nancy:

We expect that the Data Poor Working Group will recommend biological reference points for Atlantic wolffish in its final report. In anticipation of this, and given the likelihood that the Council will include Atlantic wolffish in the Northeast Multispecies (NEMS) management unit, the Council requests that your staff provide the Council with a draft Species Report for Atlantic wolffish no later than January 15, 2009.

We understand that this timeline is aggressive, but it is necessary if the Council is to consider alternatives to designate essential fish habitat for Atlantic wolffish at the February 2009 Council meeting. We would not expect this Species Report to take the form of a formal NOAA Technical Memorandum in its initial incarnation, but our hope is that a Tech Memo could be completed prior to submission of the final draft of Northeast Multispecies Amendment 16.

If you have any questions about this request, please contact me or Chad Demarest at (508) 495-2358.

Sincerely,

A handwritten signature in black ink that reads "Paul J. Howard". The signature is written in a cursive, flowing style.

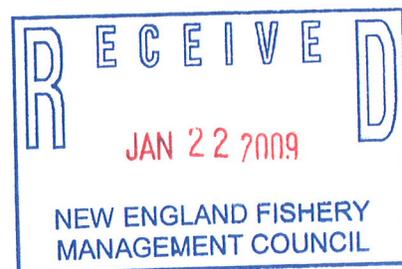
Paul J. Howard
Executive Director

cc: Pat Kurkul - NOAA/NMFS
John Pappalardo



CAPE COD COMMERCIAL HOOK FISHERMEN'S ASSOCIATION, Inc.
 210-E Orleans Road
 North Chatham, MA 02650
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 www.ccchfa.org • contact@ccchfa.org

#11d



January 20, 2009

Paul Howard, Executive Director, New England Fishery Management Council
 Rip Cunningham, Chairman, Groundfish Oversight Committee
 50 Water Street, Mill 2
 Newburyport, MA 01950

Dear Mr. Howard and Mr. Cunningham,

Clearly New England's groundfish fishermen are facing difficult times. A constant and complex web of input controls is making fishing businesses inefficient. These inefficiencies are cutting into already-thin profits, and fishermen are finding it increasingly difficult to make ends meet. As a result, the financial costs of developing a monitoring program are a difficult burden to consider.

We are transitioning away from managing groundfish with trip limits and days-at-sea (DAS) to a system of hard total allowable catches (TACs). The next two or three years will shape the future of the fishery. Success hinges on limits set by sound science and overseen by a robust third-party program for monitoring landings and discards (catch). Given the current economic climate and the inefficiencies imposed by the current management system, assistance is required. New England groundfish fishermen need initial financial assistance, spread over two to three years, to help transform the region from an inefficient, input-controlled fishery worth \$60M to a quota system valued at upwards of \$150M – two and a half times what it is worth today.

In response to this situation, New England's fishery leaders have listened to the cries of their constituents, put aside their differences, and jointly submitted a request to Congress for an economic stimulus package. The package includes a number of measures, including \$41.5M to develop a catch monitoring system that gives fishermen faith in the accuracy of the data being collected. Additionally, the package minimizes the need for extrapolations and measures such as assumed discard rates. This proposal is a landmark collaboration, and is making impressive headway in Washington DC. Congressional members are realizing that a robust monitoring program will provide access to fish and the opportunity to achieve optimum yield on a more frequent basis. Additionally, it will ensure that high quality (accurate) data are used for management decisions. Better data produce better management, which leads to more fish and profitable fishing businesses.

We are at a critical juncture for our fish resources and our fishermen, and the industry's collective support needs to be heard. Fishermen must now call on their industry representatives and political leaders to support the stimulus package as a means to a healthy and profitable fishery. CCCHFA understands that these changes are only possible with additional resources, and therefore we strongly urge advocates and industry members to carry that message to their delegations.

We look forward to continuing to work with you on measures to improve conditions for groundfish and the fishermen who depend on these stocks.

Sincerely,


 Susan Nickerson
 Executive Director

cc: Patricia Kurkul, NERO

Protecting a Resource, a Tradition, and a Way of Life

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cc: TN (1/22)

#11e

-----Original Message

From: Maggie Raymond

Sent: Friday, January 23, 2009 10:29 AM

To: Rip Cunningham; Terry Stockwell; Frank Blount; Dave Goethel; Pat Kurkul; Mike Leary; Sally McGee; James Odlin; David Pierce; David Preble; Susan A. Murphy

Cc: Tom Nies

Subject: groundfish sector linkage to monkfish & skates

Dear Rip and members of the groundfish committee,

Members of Associated Fisheries of Maine are pleased that the NEFMC will consider ITQ and sector allocations in the monkfish FMP. Monkfish is a significant component of the groundfish fishery and it would make sense for our members to manage a monkfish sector allocation through the groundfish sector we are in the process of forming. However, we are not sure if the current Amendment 13 and 16 rules would allow a joint groundfish/monkfish sector.

If not, we would ask the Committee to recommend a change to Amendment 16 that would allow for a combination groundfish/monkfish sector. We would like to get this cleared up in Amendment 16, so that the Council would not have to change the groundfish plan if and when monkfish sectors are authorized by the monkfish plan. While we are at it, we should probably address skate sector allocations as well, because for our members, the skate fishery is also linked to the groundfishery.

As always, we appreciate your consideration of our views.

Maggie Raymond
Associated Fisheries of Maine

#11f

SUSTAINABLE HARVEST SECTOR, INC

Terry Alexander
67 Grover Lane
Harpwell, ME 04079

December 31, 2008

Mr. John Pappalardo, Chairman
Mr. Rip Cunningham, Chair, Groundfish Committee
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

JAN 05 2009

Dear John and Rip:

I am writing on behalf of the Sustainable Harvest Sector to express concerns about sector monitoring requirements and costs.

Earlier this year, the Gulf of Maine Research Institute commissioned a report on sector monitoring needs (commonly referred to as the *Archipelago Report*). The monitoring cost estimates are staggering. At the lowest level of monitoring (50% dockside and 50% at-sea), the annual cost estimate is between \$5 and \$6 million dollars. At the highest level of monitoring (100% dockside, 100% at-sea) the annual cost estimate is over \$10 million. For the purposes of this report, the authors assume that 325 vessels will enroll in sectors. That equates to an average annual cost of between \$20 and \$30 thousand per vessel. It is critical that the Committee and Council understand that groundfish vessels cannot absorb these costs.

In June, Regional Administrator Pat Kurkul wrote to Paul Howard regarding sector monitoring (letter attached). In this letter, she explains, "*development and implementation of an industry-funded observer program could provide both discard and landings information and, thus, remove the added requirement and costs associated with a dockside monitoring program. Should the Council agree, it would need to waive the requirement that sectors develop a dockside monitoring program, if the sectors develop an industry-funded observer program that is deemed acceptable by the agency.*" She goes on to say that "*.....sectors should consider a monitoring program for discards that would provide at least this level of precision*" [referring to a 30% coefficient of variation standard].

As a way to potentially reduce the costs of sector monitoring, I am writing to request that the Committee and Council include an option in Amendment 16 to waive the dockside monitoring requirement for those sectors that develop an at-sea monitoring program that achieves a 30% precision standard. In addition, it would be helpful if the Committee, Council or NMFS could provide specific guidance to those developing sector monitoring programs for determining the number of trips that should be monitored at-sea in order to achieve the 30% precision standard.

Sincerely,

Terry Alexander
President

cc: CBK, TN, Council (1/4)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

JUN 25 2008

Paul Howard
Executive Director
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Dear Paul:

On July 2, 2008, the Gulf of Maine Research Institute (GMRI) intends to hold a facilitated meeting with several stakeholders to discuss monitoring and reporting of groundfish catch by sectors. In preparation for this meeting, GMRI has requested NOAA's National Marine Fisheries Service's (NMFS) position regarding what constitutes an adequate monitoring program for the purposes of implementing sectors under Amendment 16 to the Northeast Multispecies Fishery Management Plan. Although NMFS has the authority to ultimately approve or disapprove a sector's proposed monitoring program, we believe that development of an adequate monitoring program is the responsibility of the Council and/or the individual sectors.

In general, an adequate sector monitoring program should address three primary issues: (1) Apportioning catch to the correct stock area; (2) validating kept catch and/or landings; and (3) accounting for discards. Existing measures attempt to address these three monitoring components, as follows: Vessel trip reports document area fished, catch and discard information; dealer reports and existing observer coverage detail catch kept and landed; and observers are the primary means to estimate discards. Amendment 16 proposes to expand upon these measures by requiring area declarations to facilitate apportioning catch to the correct stock area, requiring sectors to develop dockside monitoring programs, and applying an assumed discard rate until such time that a sector can develop and implement an independent monitoring system that adequately demonstrates that discards can be accurately monitored. Regarding the three issues, it is proposed that sectors will be responsible for developing and implementing a dockside monitoring system and a discard monitoring system, explaining the viability of these programs, their costs and how they will be funded. As you know, Archipelago Marine Research has proposed a comprehensive three-phase sector monitoring program that includes a dockside monitoring component, roving monitors, at-sea observers, and electronic monitoring. In addition, NMFS provided the Groundfish Oversight Committee with a summary of the dockside monitoring program currently utilized in the fisheries of Atlantic Canada.

The Council adopted a dockside monitoring requirement for sectors as a way to ensure that vessels do not land more quota than what they are allowed to legally land. As a way to reduce costs, it may be conceivable to determine a vessel's landings through an industry-funded observer program. In other words, development and implementation of an industry-funded observer program could provide both discard and landings information and, thus, remove the added requirement and costs associated with a dockside monitoring system. Should the Council agree, it would need to waive the requirement that sectors develop a dockside monitoring



program, if the sectors develop an industry-funded observer program that is deemed acceptable by the agency.

The June 1, 2008, Amendment 16 document proposes that the Council, in conjunction with NMFS, will develop standards for a discard reporting and monitoring system that must be met by sectors. To date, these standards have yet to be developed. However, to start, any sector monitoring program should achieve at least the standard precision for bycatch estimates adopted by the omnibus standardized bycatch reporting methodology amendment. This amendment, adopted by the Council in June 2007, recommended a coefficient of variation of no more than 30 percent as the standard level of precision for bycatch in Northeast fisheries. Although the groundfish fishery as a whole may achieve this level of precision using existing observer coverage, existing coverage is unlikely to provide sufficient precision in bycatch estimates for each individual sector. Moreover, additional resources are not available to increase observer coverage beyond existing levels. As a result, sectors should consider a monitoring program for discards that would provide for at least this level of precision in order to be accepted as an adequate monitoring program.

Industry costs associated with these programs are an understandable concern, as such programs are complicated to administer and costly to develop and implement. However, the primary motivation for the Council's adoption of the sector concept under Amendment 13 was to promote self governance by groups of vessels that share common objectives. It was envisioned that sector participants would be able to develop measures that would allow them to fish in a sustainable manner while improving the efficiency of vessel operations. It would therefore be counter to the underlying principle of sectors for NMFS to determine a monitoring system for sectors, as that may not reflect the efficiencies and characteristics that could be developed by sector participants themselves.

NMFS will continue to work with sector proponents and the Council to help develop standards that can be used to evaluate whether sector monitoring programs are adequate. However, in the meantime, I encourage sector managers to consult with prospective members to develop what they feel is an adequate monitoring program proposal that addresses the monitoring issues listed above with sufficiently precise bycatch estimates. Sector managers should incorporate as many details as possible, including, but not limited to, what measures would be used, how it would be administered, how such measures would be implemented, and how it would be funded, so that NMFS can evaluate the effectiveness and adequacy of each sector monitoring program.

Sincerely,



Patricia A. Kurkul
Regional Administrator

cc: Northeast Fisheries Science Center

