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New England Fishery Management Council

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John F. Quinn, J.D., Ph.D., Chairman | Thomas A. Nies, *Executive Director*

July 6, 2020

Mr. Michael Pentony
Regional Administrator
Greater Atlantic Regional Fisheries Office
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Dear Mike:

On April 27, 2020, GARFO published an interim final rule to allocate Annual Catch Entitlement (ACE) to sectors and approve sector exemptions (*Federal Register* Vol. 85 No. 81, pp. 23229-23240), with a comment period closing on May 27, 2020. Among the sector exemptions approved was a reduction in the size of the redfish exemption area. Unfortunately, the announcement of the rule did not overlap well with the April Council meeting (April 14-16) and the comment period closed before the June Council meeting (June 23-25). The Council respectfully requests GARFO consider its enclosed recommendations.

At its June Council meeting, the Council discussed the commercial groundfish sectors' opposition to recent changes to the boundaries of the redfish exemption area and the process for reducing the area. The Council was informed of the Groundfish Advisory Panel's request for reinstatement of the fishing year 2019 area and the Groundfish Committee's tasking of the Plan Development Team (PDT) to examine the data used by GARFO.

The PDT received a presentation by GARFO staff on June 17 on the redfish area exemption analysis to better understand the approach and data used. The PDT provided the following feedback:

- Comparison of only redfish-declared trips to the completed analysis would be helpful.
- Additional maps adjusted for confidentiality showing where redfish targeted (observed) hauls have occurred and additional statistics may be informative (but may not show a different conclusion).
- The PDT did not draw conclusions of the analysis. A written, methodological summary document prepared by GARFO would facilitate deeper review, if a more detailed evaluation of the analysis is requested by the Council for the PDT to review.

Council Request

The Council made the following motion:

To write a letter to GARFO requesting that the Agency immediately issue a rule reverting the Redfish Exemption Area back to its FY 2019 state and urge the agency to work collaboratively with Sectors and their members to understand the nature of the fishery,

the exemption as refined in FY 2015 and if necessary develop modifications for future rulemaking.

(13 supporting /1 against /2 abstentions).

The redfish stock is rebuilt and is an under-utilized species. The Council strongly urges GARFO to reinstate the boundaries of the redfish exemption area to allow sectors to access a healthy resource and help feed the American public, including through a recent USDA program developed in response to the COVID-19 National Emergency. The Council's recommendation is also consistent with the recent Executive Order on Promoting American Seafood Competitiveness and Economic Growth (issued May 7, 2020). Going forward, the Council encourages collaboration with the sectors in the exemption process.

While the Council heard that redfish landings in fishing year 2020 appear to be higher than those in fishing year 2019 – even with the smaller area – it is possible that this is because different vessels are fishing for redfish this year. Opportunities to sell redfish to the USDA, and the early 2020 sale of vessels and permits belonging to Carlos Rafael, may have restored some effort to the fishery.

Please contact me if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Thomas A. Nies".

Thomas A. Nies
Executive Director