



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

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

DRAFT, 2018

Dear X:

The New England Fishery Management Council (Council) reviewed the “Draft NMFS Procedural Directive on Cost Allocation in Electronic Monitoring (EM) Programs for Federally Managed U.S. Fisheries.” The draft directive outlines the costs associated with an electronic monitoring program and how they would be divided between industry and NMFS in industry-funded programs. Additional information regarding what happens to a monitoring program in the event that NMFS has insufficient funding to cover its costs should be included in the guidance.

It is difficult to comment on cost sharing between the industry and NMFS on EM without a broader policy framework on cost sharing. Without such a framework, one possible implication of the Draft Directive is that the industry could be required to share the cost of New England Fishery Observer Program (NEFOP) if that program modernizes (as we hope it will) such that it uses EM whenever appropriate. NEFOP currently is entirely funded by NMFS to fulfill scientific needs and to meet National Standard 9 requirements on bycatch. In this regard, it seems logical that cost sharing between industry and NMFS should primarily be based on the purpose of the activity that generates the cost, not the type of activity.

Clearly, cost sharing between the industry and NMFS is a major policy issue that requires careful consideration of Congressional intent and an inclusive dialog with stakeholders.

Specifically, with respect to the Draft Directive, more information on how the types of cost breakdown between NMFS and the fishing industry would be useful. While not directly related to this request for comments, the Council thinks it’s important to highlight that costs associated with video storage are of high concern, and therefore, details on the administrative costs of video storage would be useful. Also, guidance regarding maximum video storage times would improve cost estimates for industry.

The Council recognizes that a number of details regarding electronic monitoring on a national level are still being developed. The Council is particularly concerned with privacy and enforcement issues in addition to the costs of such a program, which include both allocations and affordability. Broader guidance on monitoring could alleviate some of these concerns.

Signature