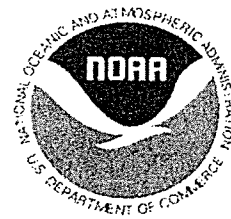


CORRESPONDENCE



National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Sustainable Fisheries Division
www.greateratlantic.fisheries.noaa.gov



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ATT: NEW ENGLAND FISHERY
M. THE NEW ENGLAND FISHERY
MANAGEMENT COUNCIL MEETING

Status Report of Greater Atlantic Region Actions

Prepared for the June 21-23, 2016
Meeting of the
New England Fishery Management Council

June 20, 2016

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New England Council Actions

Small-Mesh Multispecies

None at the time.

Groundfish

Final Rule to Implement Recreational Measures for Gulf of Maine Cod and Haddock.

NMFS published a final rule in the Federal Register on May 2, 2016 (81 FR 26452), implementing 2016 recreational management measures for Gulf of Maine cod and haddock. Anglers may retain 1 cod per day during August and September, and may keep up to 15 haddock per day for most of the fishing year. Recreational measures for cod and haddock outside the GOM Regulated Mesh Area remain unchanged. For additional information, please contact Mark Grant at (978) 281-9145 or email at Mark.Grant@noaa.gov.

Framework Adjustment 55

NMFS published a final rule in the Federal Register on May 2, 2016 (81 FR 26412), approving and implementing Framework Adjustment 55 to the Northeast Multispecies Fishery Management Plan. Framework 55 set specifications for the 2016-2018 fishing years for all 20 groundfish stocks, including shared U.S./Canada quotas. Framework 55 also adjusted the groundfish at-sea monitoring program; approved a new sector (Sustainable Harvest Sector 2); streamlined the sector approval process; required contrasting color mesh panels in haddock separator trawls; removed the Gulf of Maine cod prohibition for recreational anglers; and created a mechanism for sectors to transfer Georges Bank cod quota from the Eastern U.S./Canada Area to the Western Area. Although not part of Framework 55, NMFS set initial trip limits for common pool vessels based on the proposed 2016 specifications in this action. For additional information, please contact Aja Szumylo at (978) 281-9195 or email at Aja.Szumylo@noaa.gov.

Inseason Actions to Close Trimester Total Allowable Catch Areas for Witch Flounder and Cape Cod/Gulf of Maine Yellowtail Flounder

On June 8, 2016, NMFS filed a temporary rule closing the Total Allowable Catch (TAC) Area for witch flounder to all common pool vessels on a groundfish trip fishing with trawl gear, through August 31, 2016. On June 15, 2016, NMFS filed a temporary rule closing the TAC Area for Cape Cod/Gulf of Maine yellowtail flounder to all common pool vessels on a groundfish trip fishing with gillnet or trawl gear, through August 31, 2016. NMFS took these actions because over 90 percent of the Trimester 1 TACs for these stocks is projected to be caught. For more information, please contact Liz Sullivan at (978) 282-8493 or Liz.Sullivan@noaa.gov.

Scallops

Nantucket Lightship North Scallop Access Area Closure to Limited Access General Category Individual Fishing Quota Vessels

NMFS published a notice in the Federal Register on **June 16, 2016** (81 FR 39590), closing the Nantucket Lightship North Access Area for Limited Access General Category (LAGC) Individual Fishing Quota (IFQ) vessels for the remainder of the 2016 fishing year. The closure ensures that the fleet will not exceed its 2016 allocation of 485 trips into the area. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

Monkfish

None at this time

Herring

Atlantic Herring 2016-2018 Specifications and Management Measures

NMFS published a proposed rule in the Federal Register on June 21, 2016, proposing the 2016-2018 specifications and management measures for the Atlantic herring fishery. This action proposes catch levels for Atlantic herring, which includes a 3,000 mt decrease in the ACL, for the 2016-2018 fishing years. This action also proposes to increase the area and gear specific river herring/shad catch caps for trips landing more than 6,600 lb of herring. The public comment period closes July 21, 2016. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov or Carrie Nordeen at (978) 281-9272 or email at Carrie.Nordeen@noaa.gov.

Skate

Proposed Rule for Framework Adjustment 3 to the Northeast Skate Complex FMP

NMFS published a proposed rule for Framework 3 in the Federal Register on June 6, 2016, (81 FR 36521). The comment period closes on June 21, 2016. The proposed measures include new quotas for the skate wing (8,372 mt) and bait (4,218 mt) fisheries for the 2016 and 2017. All skate trip limits are proposed to remain unchanged from current levels. Framework 3 also proposes splitting the skate wing fishery quota into two seasons (May through August and September through April) to allow the directed fishery to be temporarily closed in-season if the seasonal quota is reached. For additional information, please contact William Whitmore at (978) 281-9182 or email at William.Whitmore@noaa.gov.

Atlantic Deep-Sea Red Crab

None at this time

Mid-Atlantic Council Actions

Summer Flounder, Scup, and Black Sea Bass

Proposed Rule for Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries for Fishing year 2016

NMFS published a proposed rule in the Federal Register on May 23, 2016, for the 2016 recreational management measures. The comment period closed on June 7, 2016. There are no significant changes to the Federal management measures from 2015. NMFS is again proposing conservation equivalency for summer flounder, as well as, proposing a change to the commercial scup incidental possession limit, and two minor corrections to the summer flounder minimum mesh size regulations. The intent of the commercial scup regulatory change is to reduce unnecessary discards by allowing more incidentally caught scup to be retained by vessels. The regulatory corrections are intended to clarify the original purpose of the regulation. For additional information, please contact Liz Scheimer at (978) 281-9236 or email at elizabeth.scheimer@noaa.gov.

Atlantic Bluefish

2016-2018 Atlantic Bluefish Specifications and Management Measures

NMFS published a proposed rule on March 31, 2016 (81 FR 18559), and comments were accepted through April 15, 2016. In the interim between the proposed rule and now, the final 2015 Marine Recreational Information Program (MRIP) estimates were released. The final bluefish catch estimate is 20 percent higher than the preliminary value used to calculate the proposed measures. Using the final 2015 recreational landings to project 2016 catch, the recreational fishery projected catch is slightly higher than the TAL, so quota cannot be transferred to the commercial fishery and the RHL must be reduced per the process established in the FMP. The final 2016 commercial quota is 17-percent of the ACL and the RHL is 83-percent of the ACL, equal to the respective TALs. The commercial quota for 2016 would be a 37-percent reduction from 2015, and the RHL would be a 1-percent increase from 2015. Existing management measures are expected to effectively constrain recreational and commercial catch despite the lack of a sector transfer. A state quota transfer between Virginia and Rhode Island is also being implemented in the final rule at the request of the participating states. For additional information, please contact Liz Scheimer at (978) 281-9236 or email at elizabeth.scheimer@noaa.gov.

Spiny Dogfish

None at this time

Surfclam and Ocean Quahog

Surfclam/Ocean Quahog Cost Recovery Amendment (Amendment 17)

This action implements a cost recovery program for the individual transferable quota (ITQ) fishery, revises the process for incorporating new biological reference points into the FMP, and removes the optimum yield range from the FMP. A final rule to implement this action will publish shortly. On June 15, 2016, we published a final rule (81 FR 38969) to implement Amendment 17. In March 2017, we will announce a new per-tag fee, which will apply for the 2017 fishing year. The fee will apply to any cage tag used to land surfclams or ocean quahogs in 2017. The initial quota shareholder who first received the allocation of cage tags will be responsible for the fee even if the tag is leased, sold, or otherwise used by someone else. The first bills will be issued in March 2018. For additional information, please contact Doug Potts at 978-281-9341 or email at Douglass.Potts@noaa.gov.

Atlantic Mackerel, Squid, and Butterfish

2016-2018 Atlantic Mackerel, Squid, and Butterfish Specifications and Management Measures

NMFS published a final rule in the Federal Register on April 26, 2016, (81 FR 24504) finalizing the 2016-2018 specifications and management measures for the Atlantic mackerel, squid, and butterfish fisheries. This action implements the 2016-2018 catch levels for Atlantic mackerel, including the river herring and shad catch cap, as well as management measures for the squid and butterfish fisheries, including:

- Atlantic mackerel quota of 9,177 mt for the next three years;
- River herring and shad catch cap of 82 mt for the next three years;
- Increase in the trigger for when 3-inch mesh is required for longfin squid and butterfish moratorium permit holders from 2,500 lb to 5,000 lb of butterfish per trip;
- Clarifies that 5-inch (square or diamond) or greater mesh (or net) strengtheners may be used outside the 3-inch mesh to avoid breaking nets during large hauls; and
- Suspends indefinitely the pre-trip notification system (PTNS) requirement for longfin squid and butterfish moratorium permit holders.

The suspension of the PTNS requirement became effective immediately on April 26, 2016, and the remaining changes became effective on May 26, 2016.

For additional information, please contact Carly Bari at (978) 281-9224 or email at Carly.Bari@noaa.gov.

Tilefish

None at this time

Other Actions

Lobster

None at this time

Jonah Crab

None at this time

Blueline Tilefish

Blueline Tilefish Interim Measures

On June 16, 2016, NMFS published interim management measures in the Federal Register (81 FR 39591), effective immediately, for the blueline tilefish fishery north of the Virginia/North Carolina line. The measures are the same as those initially set by an emergency rule last year:

- A commercial possession limit of 300 lb whole weight (275 lb gutted weight);
- A recreational possession limit of seven blueline tilefish per person, per trip; and,
- A requirement for commercial and charter/party vessels to hold a valid Greater Atlantic Region golden tilefish vessel permit to ensure adequate monitoring and reporting.

The interim measures are necessary to prevent the Mid-Atlantic blueline tilefish fishery from returning to an unregulated fishery, which could result in overfishing. The interim measures will temporarily constrain fishing effort while the Council completes the pending blueline tilefish amendment to the Golden Tilefish FMP, and we implement the amendment through the normal rulemaking process. We are soliciting comment on the interim measures until July 17, 2016. For additional information, please contact Doug Potts at 978-281-9341 or email at Douglass.Potts@noaa.gov.

Paperwork Reduction Act

NMFS published a notice in the Federal Register on April 1, 2016 (81 FR 18838), requesting comments on a renewal for collection of information requirements under the Paperwork Reduction Act. This collection of information involves the Greater Atlantic permit family of forms and VMS program. NMFS is seeking comments on whether the collection is necessary, if NMFS's estimate of costs and burden is accurate, and ways to reduce these costs and improve data collection. The comment period for the information collection ended on May 31, 2016, but NMFS will accept comments until January 30, 2017.

Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via email at JJessup@doc.gov).

Requests for additional information or copies of the information collection instrument and instructions should be directed to Elizabeth Scheimer, Fishery Management Specialist, at (978) 281-9236 or email at elizabeth.scheimer@noaa.gov.

Protected Resources Actions

Proposed Rule to Designate Critical Habitat for Atlantic sturgeon

NMFS published two proposed rules to designate critical habitat for five distinct population segments of federally listed Atlantic sturgeon on June 3, 2016. Both are available at www.regulations.gov. There is a 90-day public comment period; comments must be received by September 1, 2016. Public information meetings will be held in Annapolis, MD on July 13 and Portland, ME on July 18. Public hearings will be held at the GARFO office in Gloucester MA on July 21. All of the proposed critical habitat areas occur in tidally-affected riverine waters of a coastal estuary; no marine waters are proposed for designation. The proposed critical habitat includes waters of the: Penobscot, Kennebec, Androscoggin, Piscataqua, and Merrimack Rivers; Connecticut, Housatonic, Hudson, and Delaware Rivers; and Susquehanna, Potomac, Rappahannock, York/Pamunkey/Mattaponi, and James Rivers. Prior to publication of the proposed rule, the supporting documents underwent peer review by members of the ASMFC sturgeon technical committee. Critical habitat does not create preserves or refuges and is not a blanket prohibition on in-water activities. Instead, when a federal agency is carrying out funding or authorizing an activity that may affect the critical habitat, the federal agency works with NOAA Fisheries to avoid or minimize potential impacts to the species' habitat. The activity of the federal agency may need to be modified to avoid destroying or adversely modifying the critical habitat. The proposed designation of critical habitat does not include any new restrictions or management measures for recreational or commercial fishing operations. More information can be found on our webpage: <http://www.greateratlantic.fisheries.noaa.gov/protected/atlsturgeon/> or by calling Julie Crocker at (978-282-8480) or Julie.Crocker@noaa.gov.

Response to Petition to List Thorny Skates under the ESA

NMFS received a petition from the Animal Welfare Institute and Defenders of Wildlife on May 28, 2015, to list the "Northwest Atlantic" or "United States" population of thorny skate as threatened or endangered under the Endangered Species Act (ESA). On October 26, 2015, we published a "positive" 90 day finding in the Federal Register (80 FR 65175) noting our determination that the petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted and that we are initiating a status review. 90-day findings are only a preliminary step in the listing process and afford thorny skate no additional protections under the ESA. The FR notice requested scientific and commercial information pertaining to this species to be submitted to us by December 28, 2015. We received information from NEFMC, Maine DMR, Fisheries Survival Fund, Massachusetts Lobstermen's Association, Sustainable Fisheries Association, and the Associated Fisheries of Maine. GARFO is working on preparing a status review report which will undergo external peer review. An extinction risk workshop, with invited experts (including representatives from the NEFSC and NEFMC) was held in May 2016. We anticipate completing the status review report this summer and publishing a listing determination in the Federal Register in the early Fall. For additional information, please contact Julie Crocker at (978) 281-9328 or email at Julie.Crocker@noaa.gov

Research Document Applications Under Review

NMFS submitted a notice in the Federal Register that will publish soon to solicit public comment on Exempted Fishing Permits (EFP) that would allow a private fisherman to conduct a pilot study jigging for pollock in the Western Gulf of Maine Closed Area. Plans for observer coverage and data collection are currently under review. For additional information, please contact Liz Scheimer at (978) 281-9236 or email at elizabeth.scheimer@noaa.gov.

The Shoals Marine Laboratory (SML) submitted an application for an EEAA on May 13, 2016 for a re-authorization of educational fishing activity to be conducted on board four vessels. Fishing activity will include a 16-ft otter trawl, bottom dredge, long lines, handlines, hagfish traps, and rod-and-reel gear. SML expects to make up to 15 tows that are 15-30 minutes across all trips. Some living animals will be retained to support further educational activities (i.e., dissection and species ID). For additional information, please contact Liz Scheimer at (978) 281-9236 or email at elizabeth.scheimer@noaa.gov.

On May 6, 2016, NMFS received a request for an Exempted Fishing Permit (EFP) from the Massachusetts Division of Marine Fisheries (MADMF) to test the use of standard raised-footrope trawl to target whiting before the current start date of the exempted fishery seasons within sub-areas of Small Mesh Area I (SMA1) in Ipswich Bay and the Western Raised Footrope Exemption Area (Western RFEA) off the tip of Cape Cod. This EFP would allow five vessels to conduct research fishing within SMA1 during July 1-14, 2016, and four vessels within the Western RFEA area during August 18-31, 2016. The participating vessel would be exempt from minimum mesh size gear requirements found at 50 CFR 648.80(a)(3) while conducting research under this EFP. For additional information, please contact Reid Lichwell at (978) 281-9112 or email at Reid.Lichwell@noaa.gov.

Research Document Application Review Completed

On April 19, 2016, NMFS issued Letter of Acknowledgement (LOA) to the University of Maryland Eastern Shore to collect Alcyonaceans (gorgonian corals) in the DelMarva region of the Mid-Atlantic. The objective of this research is to determine the degree and nature of interactions between fishing gears and corals, sponges, and other structure forming invertebrates. For additional information, please contact Liz Scheimer at (978) 281-9236, or email at Elizabeth.scheimer@noaa.gov.

On June 3, 2016, NMFS issued an LOA to CoastalVision, LLC in collaboration with SeaPlan, LLC to conduct an American lobster abundance study at the construction site of the Block Island Wind Farm (BIWF), located within Lobster Conservation Management Area 2. Four study sites will be sampled twice monthly from June through October. No lobster or fish will be landed for sale. All lobsters caught during the sampling activity will be promptly returned to the water after sampling data are collected and all bycatch species will be immediately returned to sea. For additional information, please contact Cynthia Hanson at (978) 281-9180, or email at Cynthia.hanson@noaa.gov.

Status Report of Greater Atlantic Region Regulatory Actions

On June 2, 2016, NMFS issued Exempted Fishing Permits (EFPs) to Rutgers University and the University of Massachusetts to conduct compensation fishing under the 2016/2017 Monkfish Research Set-Aside Program. There has been 500 monkfish days-at-sea (DAS) allocated for the 2016 fishing year to be divided between the award recipients and sold to fishermen to fund approved research projects. Rutgers University and the University of Massachusetts have each received 250 monkfish DAS for the 2016 fishing year. Vessels authorized to fish under these EFPs are exempt from DAS landing limit restrictions within the Monkfish Northern and Southern Fishery Management Areas found at 50 CFR 648.94(b)(1) and (2). For additional information, please contact Reid Lichwell at (978) 281-9112 or email at Reid.Lichwell@noaa.gov.

On April 29, 2016, NMFS issued an EFP to the University of New England to assess injuries and mortality of Atlantic cod captured in lobster traps while fishing for lobster. This EFP allows commercial fishing vessel to retain cod captured in lobster traps to assess injuries and to tag cod with acoustic transmitters to assess mortality after their capture. This EFP exempts the vessel from the prohibition on landing NE multispecies established under 50 CFR 648.14(k)(1)(i)(B). Vessels will be allowed to retain a total of 60 cod for sampling and all legal lobsters will be retained and sold. For additional information, please contact Reid Lichwell at (978) 281-9112 or email at Reid.Lichwell@noaa.gov.

On April 29, 2016, NMFS issued an LOA to Rutgers University to collect surfclams in support of a laboratory spawning study. The participating vessel will utilize a hydraulic clam dredge to harvest approximately 700 surfclams to be transported to a laboratory at Rutgers University for use in a spawning study. For additional information, please contact Reid Lichwell at (978) 281-9112 or email at Reid.Lichwell@noaa.gov.

On May 27, 2016, NMFS issued an EFP to the Coonamessett Farm Foundation (CFF) in support of research associated with a 2016 Scallop RSA project. The project will test a modified flounder cookie sweep on the outer bale bars of the scallop dredge and film fish-dredge interactions to monitor the effectiveness of the gear modification in reducing flatfish bycatch. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

On May 27, 2016, NMFS issued an EFP to CFF in support of research that will test gear modifications in an attempt to reduce finfish bycatch in the dredge fishery. The gear modifications that will be tested adhere to current scallop gear regulations and include: A no-chaffing gear dredge bag; a five-row apron without chaffing gear and a 1.5:1 twine top hanging ratio; and a "daylight skirt," which would replace the rings in the skirt with three rows of 12-inch square mesh and chain. All trips will take place in scallop fishing areas open to the entire Atlantic sea scallop fishery. The EFP must be used in conjunction with Letters of Authorization issued to CFF for 2016 Scallop RSA compensation fishing trips. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

On May 27, 2016, NMFS issued Letters of Authorization to the Virginia Institute of Marine Science (VIMS), Arnie's Fisheries, Woods Hole Oceanographic Institute (WHOI), and CFF for vessels to participate in compensation fishing trips under the sea scallop RSA program to generate the revenue to fund their associated research project awarded under the 2016 RSA program. The letters of authorization allow the vessels to fish outside of the sea scallop days-at-sea program and access area possession limits while on a declared RSA trip. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

On May 27, 2016, NMFS issued an EFP to National Fisheries Institute (NFI) to add 20 additional tows over the course of two limited access days-at-sea (DAS) to an EFP issued on April 30, 2015, for a 2014 scallop RSA project titled, "Determining Incidental Discard Mortality of Atlantic Sea Scallops, *Placopecten magellanicus*, in the Scallop Dredge Fishery in the Mid-Atlantic Bight." The additional days will support research for a study assessing the incidental mortality of scallops passing through the 4-inch rings of a 12-foot Turtle Deflector Dredge (TDD) on sandy and hard (gravel) substrates off the coast of New Jersey. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

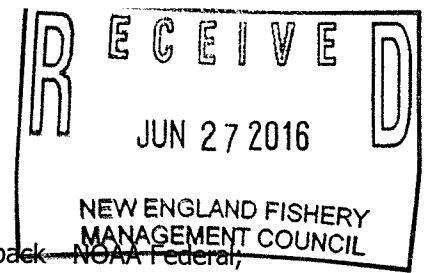
On April 18, 2016, NMFS issued an LOA to VIMS for a 2016 Scallop RSA project to study natural mortality, growth, and movement of scallops by conducting a mark-recapture study on the exceptionally large cohort of two year old scallops that settled in the Elephant Trunk Closed Area. The project will consist of two research cruises. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

On April 18, 2016, NMFS issued an LOA to VIMS for a 2016 Scallop RSA project that supports scallop management by conducting a fine scale, high resolution stratified dredge survey that will provide a timely and detailed assessment of the abundance, distribution, and biomass of scallops in the Mid-Atlantic Bight area ranging from the Virginia/North Carolina border to Block Island. This study will build upon information collected during the 2015 survey in the same area. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

On April 18, 2016, NMFS issued an LOA to VIMS for a 2016 Scallop RSA project that supports scallop management by conducting a fine scale, high resolution stratified dredge survey that will provide a timely and detailed assessment of the abundance, distribution, and biomass of scallops in the Nantucket Lightship Closed Area and surrounding region. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

On June 7, 2016, NMFS issued an LOA to VIMS for a 2016 Scallop RSA project that supports scallop management by conducting a fine scale, high resolution stratified dredge survey that will provide a timely and detailed assessment of the abundance, distribution, and biomass of scallops in the Georges Bank Closed Area II and surrounding region. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

On May 25, 2016, The Nature Conservancy (TNC) was issued an EFP authorizing up to 20 vessels to use electronic monitoring (cameras and gear sensors) in lieu of at-sea monitors for the 2016 fishing year. TNC is working with the Gulf of Maine Research Institute and several groundfish sectors to design and implement an electronic monitoring program in the Northeast groundfish fishery that uses data from video to verify and validate the accuracy of discards reported on electronic vessel trip reports (eVTRs). For additional information, please contact Brett Alger at (978) 675-2153 or by email at Brett.Alger@noaa.gov



Sent: Monday, June 27, 2016 8:48 AM

To: Ayer Matt (FWE)

Cc: David Pierce; McKiernan Dan (FWE); Moira Kelly; Brad McHale; Scott Steinback; Margo Schulze-Haugen - NOAA Federal; Barry Gibson; Dave Waldrip; stephanie.cunningham@noaa.gov; Tom Nies

Subject: For-Hire Electronic VTR Pilot Project

Matt:

I recently met with Dave Pierce and Dan McKiernan, and they made me aware of the grant award for next year associated with the Pilot Test for electronic VTRs for the For-Hire Sector. The Stellwagen Bank Charter Boat Association as well as others would be interested in participating in the electronic VTR pilot. Our understand is that electronic VTRs will report no more than what is presently required to manage the fishery by NOAA. We are concerned with the misuse of additional transiting/fishing data that is not required to manage the fishery as set forth in the email below.

I look forward to hearing from you.

Thanks

Capt. Mike Pierdinock

CPF Charters "Perseverance" - New Bedford

Recreational Fishing Alliance - Massachusetts Chairman

Stellwagen Bank Charter Boat Association - Board of Directors

Massachusetts Marine Fisheries Advisory Commission

NMFS - Atlantic Highly Migratory Species Advisory Panel

New England Fishery Management Council - Recreational Advisory Panel

(617) 291-8914

Depart from New Bedford, MA and enjoy your day of fishing aboard the "Perseverance" on a fully equipped Pursuit 3000 Offshore with a Marlin Tower and Outriggers. Go to www.cpfcharters.com for details.

----- Forwarded Message -----

From: Michael Pierdinock <cpfcharters@yahoo.com>

To: "betsy.nicholson@noaa.gov" <betsy.nicholson@noaa.gov>; "comment@neoceanplanning.org" <comment@neoceanplanning.org>

Cc: Rruais <rruais@aol.com>; Ralph Pratt <ralph.pratt@verizon.net>; Raymond Bogan <rbogan@boganlawoffice.com>; Dave Waldrup <captDave@relentlesscharters.com>; Barry Gibson <barrygibson6@aol.com>; Charlie Wade <cwade440@yahoo.com>; John Depersenaire <jdepersenaire@joinrfa.org>; David Schalit <dschalit@gmail.com>; Beth Casoni <beth.casoni@lobstermen.com>; Pierce David (FWE) <david.pierce@state.ma.us>; John Bullard <john.bullard@noaa.gov>; Tom Nies <tnies@nefmc.org>; Moira Kelly - NOAA Federal <moira.kelly@noaa.gov>; Mark Grant <mark.grant@noaa.gov>; Brad McHale <brad.mchale@noaa.gov>

Sent: Tuesday, June 7, 2016 8:42 AM

Subject: Comments to Northeast ("NE") Ocean Plan

Betsy:

Thank you for your recent presentation at the SBNMS SAC meeting concerning the Northeast Ocean Plan and use of the Northeast Data Portal. Consistent with your email, the Northeast Data Portal and Northeast Ocean Plan focus primarily on recreational boating but the plan utilized data provided by the pilot project conducted by a select few charter boat captains from CT/RI/NY (<http://neoceanplanning.org/wp-content/uploads/2015/04/FactsheetPartyCharter.pdf>). My comments to the NE Ocean Plan is set forth below.

The level of detail found within the plan provided by the pilot project conducted by a select few charter boat captains transiting from home port to sea and back is concerning. NOAA and specifically GARFO understand that such detail is confidential and is not necessary to manage the fishery. For example, Northeast Federally Permitted charter boat or for hire vessels complete VTRs that provide the center point where fish were landed for the day (that does not include the latitude/longitude minutes and seconds) and the associated "chart area" designated by NOAA. NOAA only requires that level of detail to manage the fishery any more additional location data is confidential information that is not necessary to manage the fishery. GARFO has specifically indicated that proposed electronic VTR monitoring and reporting if required from their office in the future will only require that level of detail presently found on VTRs since they understand the confidential nature of such data.

Additional data could result in denying anglers access to the fishery that is inconsistent with the basic foundation of the laws of the United States that we are not to be denied access to the fishery. For example, it was not until recently that haddock was found at significant levels in the Stellwagen Bank waters. Haddock were rare to land 20 to 50 plus years ago in the Stellwagen area. If one was to conclude that we don't fish for haddock on Stellwagen Bank because none were present based on the last 40 to 50 years of data one could theoretically shut that area down to haddock fishing for some other use since it is assumed we don't fish within these waters. Today haddock are found throughout Stellwagen Bank and elsewhere. Fish have tails, they move to different areas over time, to use historical fishing data to conclude that we