



## New England Fishery Management Council

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E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

June 21, 2016

Mr. John Bullard  
GARFO Regional Administrator  
NMFS/NOAA Fisheries  
55 Great Republic Drive  
Gloucester, MA 01930

Dear John:

At its June 21, 2016 meeting, the Council approved the VMS/Enforcement committee's recommendations to the Office of Law Enforcement's (OLE) Northeast Enforcement Priorities (Priorities). The Committee received recommendations from our Whiting, Herring, Scallop and Groundfish committees and added its own. You may take these comments as preliminary to the review process next year. The current priorities will be reviewed and changed for 2018-2022 during 2017.

These recommendations include:

- Priorities should be reviewed by the MAFMC and ASMFC. The OLE plans to do so.
- Data sources should be streamlined and an emphasis on data analysis s GARFO is reviewing fishery dependent data overall, and the investigative support analysis team within OLE is part of that. should be a high priority. We strongly support these efforts.
- Lower priority items should not be ignored. Coordination between OLE, Joint Enforcement Agreement's (JEA), and USCG high, medium and low priorities is strongly encouraged.
- Given that state's JEA focuses on lobster and OLE focuses on fish, we recommend that the focus be equalized among all fisheries by OLE, JEA and USCG. For instance, the Coast Guard flexes its priorities as needed.
- [the current New Bedford case is the result of widescale fraud and long-term misreporting, and should be a 'case study' to rectify the reporting accuracy, data analysis and coordination among all NOAA divisions and other agencies.]
- We fully support the use of permit sanctions through General Counsel's (GC) Penalty Policy.
- At-sea and dockside monitoring affect a wide range of vessel types and sizes. Funds should be available for small-scale operations or the government should pay for such programs.
- We support OLE's outreach program, two positions, but the presentation of information must be clarified. For example, while receiving comments from several committees the perception was that Outreach was the lowest High Priority (and should be moved to the top), but the Priorities are listed in no ordinal fashion; they are all equal and this must be clarified to the industry.

- OLE is only partly responsible for providing regulatory information to the public, for instance, the Sustainable Fisheries division is responsible for issuing Letters to Permit Holders (LPH), and better coordination is needed among divisions and agencies. A point of contact *at any time of the day* would be very helpful, to at least provide OLE with the vessel's intent and understanding.
- Vessel Trip Reports (VTR) are haul weights and dealer reports are landings. Fishermen have been requested to change VTR reports because they didn't match. OLE did not make these requests, but more inter-division communication; is needed.
- More face-to-face interaction is needed between OLE and industry; Letters to Permit Holders are not enough.
- The 600 pound Limited Access General Category (LAGC) fishery is a concern, due to the availability of different bag sizes, for instance, 40 pound (capacity) versus 60 pound bags.
- Striped bass EEZ violations should be a High Priority for OLE, as they are for the Coast Guard.
- OLE should try to clearly define what is meant by false labelling and minor labelling violations in its Priorities for 2018-2022.
- There should be equal effort on lobsters and fish during at-sea boardings and dockside.
- The number of boardings by vessel type, lobster, dragger, gill nets, etc., should be reported regularly.
- A boarding certificate should be issued, and it should be made clear to the recipient that it is important show this certificate to subsequent boarding teams.
- At-sea enforcement of unlawful gear violations in coordination with state and USCG partners should be High Priority.
- The Coast Guard should train its teams for boardings on lobster and gill net boats, and may consider acquiring the ability to haul traps.

These items are in no particular order; they are all equally important.

I am providing the VMS/Enforcement committee report from June 15, 2016 as background material to these items. Please contact me if you have questions.

Sincerely,

Thomas A. Nies  
Executive Director