



New England Fishery Management Council

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DRAFT

Betsy Nicholson (Federal Co-Lead)
Cc John Weber (NROC Ocean Planning Director)
Cc Grover Fugate (State Co-Lead)

Dear Betsy:

The New England Fishery Management Council greatly appreciates the effort the Northeast Regional Planning Body put into developing the draft Northeast Regional Ocean Plan, and your willingness to frequently share information on its development with our Council. After reviewing the draft we are providing you with the following comments on the plan.

- We support the importance of Actions described throughout Chapter 3 to update data in the portal periodically for all ocean use activities. For the plan to be useful and effective, the information on the portal must remain current and the planning effort should strive for completeness.
 - Under Marine Life and Habitat section ML-1, it will be important to source or develop pelagic fish/invertebrate species distribution and abundance information that can be included in the data portal. Most fish and invertebrate information on the portal is from benthic trawl surveys which are not designed to effectively sample water column species such as Atlantic herring and mackerel.
 - We are particularly pleased by the commitment of NMFS Office of Law Enforcement to update annually the commercial fishing activity VMS maps, which are critically important to the usefulness and success of the plan. Where possible, it would be useful in FMP development to be able to subset VMS data by permit category because there are typically important differences in effort distribution by vessel type.
 - While the Northeast Regional Ocean Council (NROC) is identified as the entity responsible for data portal updates in the short term, all entities responsible for long-term maintenance of the portal and its data sets need to be identified.

- We support and would like to emphasize the importance of implementing the action in the Commercial fishing and Recreation section CF-2: *Develop additional regional maps and data of commercial and recreational fisheries*. This is particularly important for the party/charter, recreational, and lobster/crab fisheries for which there currently is only very coarse spatial data about their ocean use activities. Spatial assignment of fishing activity in this model is only as good as the input data, which do not provide a census of effort as only some permit holders are required to submit federal vessel trip reports. New programs are needed to provide more refined seasonal, spatial information on for-hire, private boat and shore based marine recreational fishing effort.
- While the Plan discusses potential updates and amendments and the threshold that distinguishes the two, it would be helpful to provide examples of more minor, routine updates as compared to larger modifications that would trigger an amendment..
- In Chapter 3, Aquaculture is the only ocean use that has an action, Action A-7, to “advance initiatives to support and promote” the activity. Does advancing initiatives to support and promote a single ocean use help achieve the goals of the plan? If so, there may be other ocean uses identified in the plan should have an action to support and promote them.
- Both RPB oversight and individual agencies commitments will be critical to ensuring success. As described in Chapter 4, we agree that it is important that the Regional Planning Body continues to serve as a forum for federal, tribal, fishery management council and state coordination and provides oversight to ensure progress in accomplishing the plan’s goals and objectives. Individual RPB member agencies must follow through in implementing the recommended best practices.
- It is somewhat difficult to track the different types of economic valuations provided throughout the plan. Taking the commercial fishing industry as an example, the plan references \$1.2 billion in commercial landings (direct metric) and \$13 billion in total sales impact (indirect metric) during 2012. Direct and indirect valuations of other resources are summarized with different metrics. It would be helpful to lay out in one location which of these valuations are direct, which are indirect, and how these values were generated to facilitate appropriate comparisons across resources.
- We support the importance of continued public engagement, particularly during development of plan updates and amendments, but on an ongoing basis as well. To the extent practicable, additional efforts should be made to engage local communities We also support the inclusion of a best practice for agencies to engage the fisheries management councils in the case of projects that may impact fishery resources, fishing activities, or fishing communities.
 - Going forward, the RPB should consider engaging fishermen on the various workgroups.

- The plan acknowledges but could further emphasize the cultural importance of working waterfront communities. Similar to the focus on growing the emerging aquaculture sector, the plan could be used to promote activities that are declining in some areas, such as commercial fishing.
- There are numerous commitments and actions scattered throughout the plan. It would be helpful to summarize these by topic, action agency, and resources required.
- It is not clear how federal agencies will use Important Ecological Areas (IEAs), if they are delineated in the future. It is also not clear what the public process will be for review of any IEA proposals. It is critical that the purpose and use of IEAs be clearly defined so the public understands what impact they may have on future regulatory actions. There should be a clear process for soliciting public input.
- When (IEAs, information in our Council's Omnibus Habitat Amendment 2, including information about Essential Fish Habitat (EFH) and Habitat Areas of Particular Concern (HAPC), should be considered. Our amendment contains a wealth of material about both the physical and biological ocean floor habitat as well as the vulnerability of that habitat to fishing gear as evaluated using the Swept Area Seabed Impact (SASI) approach. The results of the SASI vulnerability assessment may help in identifying IEAs, and our approach could be adapted to describe habitat vulnerability from other non-fishing ocean uses.

The Council has been pleased to be a part of the RPB and to help develop the draft plan. Please contact me if you have any questions about our comments.

Sincerely,