

ADDITIONAL  
CORRESPONDENCE

January 24, 2022

Jon Hare, Director  
Northeast Fishery Science Center  
166 Water Street  
Woods Hole MA 02543

Dear Jon,

We the undesigned sector managers write to advise of our increasing concern that the groundfish observer program is significantly unprepared to process increased volumes of catch data (from both ASM's and electronic systems) that will result from the GARFO's target groundfish observed trip coverage rate of 99% for FY2022.

Sector managers monitor and control catch and allocations in near real-time. Data on the weights of retained catch is swiftly available from dealers (either provided same-day directly to the sectors, or no more than several days after offload the GARFO dealer offload data reporting portal), VTRs (now submitted no more than 48 hours after offload), and increasingly from independent dockside monitors (available hours or a few days after offload).

For many years, data on the weights of discarded catch from ASM and NEFOP trips was available to sectors reasonably quickly from the NEFSC observer program. Sectors could generally expect to receive fully vetted observed trip data (data which had passed a NEFSC post-trip quality control inspection), and their effects on discard rates as applied to unobserved trips, within 2-3 weeks after offload. This window of time is adequate to take corrective action in the case of unexpected discards (such as acquiring more allocation, or restricting or sanctioning an operator).

In the last year, we have seen a steady deterioration in the observer program's ability to process data. ASM/NEFOP trip data reporting to the sectors has been delayed as long as 12 weeks after offload. In the fall of 2021, it was not uncommon for one- to two- thirds of a sector's observed trips' data to remain unreported to sectors beyond the 2-3 week window we were accustomed to.

In December, the observer program began releasing unvetted data to the sectors, with the intent of steadily catching up on vetting the backlog of older trips. One month later we find that few if any of those older trips have been vetted. Some newer trips are now six weeks or more stale, with neither vetted or unvetted observer data for them available to sectors again.

The electronic monitoring data streams fare little better. Electronically monitored trips are expected to take 3-5 weeks after offload for trip selection, monitoring provider review, and submission to the NEFSC<sup>1</sup>. In the maximized retention program, trip video can be reviewed by the provider and submitted to the

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<sup>1</sup> This is less ideal than the 2-3 week window, but because monitoring providers contract with the sectors and review video at some early point during the 3-5 week window, sectors can request immediate notification from the provider if certain unusual events occur – before the trip data is transmitted to the NEFSC. In the ASM and NEFOP programs, providers do not see observed trip data – they are transmitted by the observer directly to the NEFSC, so no 'early warning' system is possible.

NEFSC about a month after trip end. But the provider reports web portal bottlenecks which prevent it from submitting catch data in this timeframe. NEFSC's secondary review process, designed to catch and correct provider error, lags 4-6 months behind that.

In the audit model program, it commonly takes the NEFSC 1-2 months after a trip has ended for it to be even selected for provider review (which then takes a few more weeks to complete). Last fall the lag was as much as three months. Only after that review are sectors provided discard data for the trip. Secondary review delays are similar to those in the maximized retention program.

These delays occur against the backdrop of this fishing year's 40% target observed trip coverage rate, versus next year's 99%. We see scant evidence the NEFSC's trip review program can handle its current workload, never mind a more than doubling of it more three months hence.

Management problems which can result from these delays include:

1. Degraded ability of the sectors to accurately monitor and report their catch weekly to the GARFO, and hampering their ability to effectively manage annual catch entitlements as envisioned by the NEFMC.
2. Delays for the GARFO in finalizing a prior year's catch accounting, and otherwise compromising its ability to manage the fishery's allocation use and observed trip coverage rates in-season.
3. Unexpected catch events on observed trips discovered many weeks after a trip end which might place an individual sector member into a negative quota balance. This can be very problematic at the end of a fishing year, when sectors' ACE trading privileges for the prior year are constrained.

Similarly, because of the retroactive application of assumed discard rates, unexpected catch events on observed trips can materially alter all members' (and thus the sector's) quota balances. During the transition to a new fishing year, this can skew the sector's understanding and calculation of remaining quota balances for rollover purposes.

4. Observed trip information can unearth improper fishing practices which a sector is expected to address (sch as illegal discarding, or area misreporting). The longer this information is delayed, the more difficult it is for the sector to take corrective action. The practice could continue for several consecutive trips before the sector became aware a problem existed.

Similarly, in the event of a variance between an observer's versus an operator's tally of catch, the longer it takes the sector to discover the variance, the less able it is to investigate and resolve the tallies. Memories fade over time.

5. Delayed observer performance reviews. At present, observers are graded by the NEFSC twice per year on the accuracy of their observed trip reports. Providers inform us this review process is behind schedule, potentially allowing flawed observer catch measurement practices to continue for months before discovery and correction.

Sectors have monitoring and reporting duties not just upstream to the GARFO, but also downstream to fishermen and sector members, who rely on us to provide them accurate ACE balances throughout the year. It is more difficult to provide those now, and we fear widespread disarray entering FY 2022. As we have seen little evidence of progress reflected in improved data turnaround times as described above, we request (perhaps in conjunction with the GARFO at the February sector manager's meeting?):

1. The NEFSC's timeline to catch up on FY 2021's past due trips, and the GARFO's contingency plans should unresolved delays affect year end ACE trading, or other year end deadlines.
2. Specifics of and a timeline on the plan to providing timely observed trip data for upcoming FY 2022.

Thank you for receiving our concerns, which are not a critique of the quality of the observer program's work products, but apprehension over the current timeliness of them.

With appreciation,

John Haran  
Northeast Fishery Sectors  
X and XIII

David Leveille  
Northeast Fishery Sectors  
II and VI

Amy Morris  
Fixed Gear Sector

Dan Salerno  
Northeast Fishery Sectors  
V and XI

Hank Soule  
Sustainable Harvest Sectors

Stephanie Sykes  
Mooncusser Sector

cc: Mike Pentony, Regional Administrator, GARFO  
Moiria Kelly, acting Assistant Regional Administrator, GARFO  
Pete Christopher, Groundfish Supervisory Policy Analyst, GARFO  
Sean Hayes, acting Division Chief, Fisheries Monitoring and Research Division, NEFSC  
KB McArdle, Chief, Fisheries Monitoring Operations Branch, NEFSC  
Ryan Shama, Chief, Training and Data Quality, NEFSC  
New England Fishery Management Council