






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA_FRDOC_0001-DRAFT-20815
Current Document ID:	NOAA-NMFS-2016-0139-0002
Title:	Comment from jean publiee 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	09/20/2016 * 🔗
Date Posted:	10/25/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

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Current Assignee:	NA
Status Set By:	Jaburek, Shannah (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8s0j-vmo4 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: setting up a voluntary systemn where the fish cathcers monitor their ownj fish catching is an invitaiton to corruption. it certainly will nver work. they all work together to poach and shoot marine life so nothnig will affect their fish murder. this system that you proposae is worthless. it is simply allowing the robber tto keep robbing onlyh in greater numbers and pounds., its clear we have surveillance and can look from satellites of what is going on in these plundering boats that are taking one thousand percent more than the quotas they get. the poaching is enormous. the stealing is enormous. no way is this a sound idea. its just ridiculous, specious, unsound and a stupid idea. the robbbers will never turn themselves in. this comemtn is for hte public record. on this nonsense you are putting out. of course you are in their bailiwick so you wouldnt do a thing to curtail their takes. your reglations is a fake. * 

First Name: jean * 
Middle Name: 
Last Name: publiee * 

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Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA_FRDOC_0001-DRAFT-20817
Current Document ID:	NOAA-NMFS-2016-0139-0003
Title:	Comment from Jason Amaru 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	09/26/2016 * 🌐
Date Posted:	10/25/2016 🌐
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XRIN: 
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Submitter Info

Comment: I, along with many other small scale commercial fishing operations around New England, will not have enough money left over after lease expenses, operating expenses, etc, to pay my crew or myself a reasonable wage if hundreds of dollars has to come off the settlement to pay an observer. The fact that many years of cumulative data have already been collected should ease the necessity of having to take observer on board, as the discard rates and applied discard rates can now be averaged to a vessel in a certain fishery, a certain gear type, a certain area. Honestly, this program is a bottomless money pit which does not justify it's expense and overbearing intrusion of privacy. The outcomes of what is caught and discarded is predictable and this program is unwarranted on merit and on cost, despite what the ngo's would have the public believe. * 


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Middle Name: 
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Docket ID:	NOAA-NMFS-2016-0139 🔗
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Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA_FRDOC_0001-DRAFT-20816
Current Document ID:	NOAA-NMFS-2016-0139-0004
Title:	Comment from Rachael Anonymous 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
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Submitter Info

Comment: If industry funded observer coverage is implemented, please reconsider using a solicitation based observer coverage plan. Solicitation based coverage will place an unbalanced financial burden on those boats that are either favored by the observers or those that are easier to solicit by an observer. This would put a financial burden on the boats that are willing to take observers and make the role of soliciting even more difficult for the observer provider. A randomized selection system will need to be used. Also please consider using landing incentives for those boats that will be carrying an observer in order to allow the crew to afford the observer. The burden of the paying for the observer will most likely be taken from the captain and crew's income, not the boat-owners. Landing incentives may be difficult in fisheries with state-specific quotas, but hopefully a portion of the TAL for the year for that specific fishery can be set aside for those boats carrying observers. Currently non-groundfish or scallop fisheries do not have an option in their observer provider. Please consider opening the market to more observer provider options if the program becomes industry funded. This will allow market competition to choose for those providers that are able to be the most cost effective while providing the necessary data. It is apparent in the NEFOP observer program that an inefficient solicitation based program is costing the program money. It will be unfair to pass this burden to fishermen without allowing the market to clean up the inefficiencies in the process. * 

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Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0004
Current Document ID:	NOAA-NMFS-2016-0139-0005
Title:	Comment from Mark S Phillips
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
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Status Set By:	Luers, Daniel (NOAA)
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XRIN: 
Tracking Number: 1k0-8sug-xtga 
Page Count: 1 
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Submitter Info

Comment: I do not support the Industry funding of monitors. Fishermen can not afford this in groundfish and can not afford this in any other fishery. The quality of data provided is questionable at best with over 50% of monitors/observers having less than 12 months experience. This is an industry funded training program that encourages people with questionable ideals about fishing to be enviro police with limited knowledge. The issue is whether a fisherman with more than 50 years experience is more knowledgeable than a monitor with a few days of experience. I can support Herring Alternatives 2.4,2.5,2.6 when fishing in large mesh areas. Although I am against them paying for this coverage. Mark S Phillips *

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Cover Page: 






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RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0005
Current Document ID:	NOAA-NMFS-2016-0139-0006
Title:	Comment from Dick Grachek
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
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Tracking Number: 1k0-8sug-rnrs 
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Submitter Info

Comment: NOAA's "fast track" and "agency priority" aquaculture campaign devotes hundreds of millions to push this unhealthy way to raise fish in captivity--but NOAA can't seem to find the money in their \$8 billion budget to finance its own mandated "at sea monitor program" on fishing vessels---just to "keep the fishermen honest"? NOAA is shunting over to the fishermen the cost of these useless onboard monitors to the tune of \$700 to \$800 per day. My vessel provides income for four families directly and any added financial burden will put us out of business. This is a disgrace and an obvious ploy to further "reduce fleet overcapacity" which of course is also bogus since the "fleet" has been reduced by some 80% already over the last decades. We cannot take any more of this disrespect and hostility towards our local fishing communities. Stop this insanity and realize how outrageous it is to burden an industry with the cost of a government mandated program! * 

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Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0006
Current Document ID:	NOAA-NMFS-2016-0139-0007
Title:	Comment from Katie Almeida 🔗
Number of Attachments:	1
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
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Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

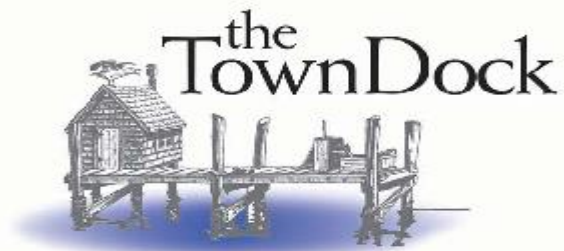
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Tracking Number: 1k0-8sui-kyd5 [🌐](#)
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Total Page Count Including Attachments: 1

Submitter Info

Comment: See attached file(s) * [🌐](#)
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November 4, 2016

John K Bullard
Regional Administrator
Greater Atlantic Fisheries Office
55 Great Republic Drive
Gloucester MA, 01930

Dear Mr. Bullard,

I am writing to comment on the Omnibus Industry Funded Monitoring Amendment. Back in August of 2015 I submitted comments to both the New England and Mid-Atlantic Councils regarding this Amendment. I was also present at the Philadelphia Council meeting that year where I again stated my opposition to this Amendment on the grounds of our vessels not being able to afford to pay for the additional monitoring. Back then I wrote and spoke about this Amendment in regards to our herring vessels; today I'd like to add that we are against the Amendment as a whole. Asking vessels to pay more for observers in all FMPS while those in sectors have started paying for coverage this year is a huge financial burden. We understand and appreciate that more information is wanted on various species in order to make better management decisions and we think that this would be a perfect time and reason to resurrect the Research Set-Aside Program to help pay for the additional data that needs to be gathered.

Bringing the RSA program back would benefit both the fishermen and the scientists as it would provide a cost covering mechanism to make sure that fishermen are not losing money while they provide the increased information that the scientists are looking for.

Looking into developing an FMP specific RSA program is something we'd like to see analyzed.

Thank you for providing us the opportunity to comment.

Sincerely,

Katie Almeida
Fishery Policy Analyst






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Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0007
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Title:	Comment from Mark S Phillips 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
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Date Posted:	11/07/2016 🔗
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DOC Docket No.:	

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Page Count: 1 
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Submitter Info

Comment: I do not support the Industry funding of monitors. Fishermen can not afford this in groundfish and can not afford this in any other fishery. The quality of data provided is questionable at best with over 50% of monitors/observers having less than 12 months experience. This is an industry funded training program that encourages people with questionable ideals about fishing to be enviro police with limited knowledge. The issue is whether a fisherman with more than 50 years experience is more knowledgeable than a monitor with a few days of experience. I was in a fishery with 100% observer coverage and even though the data was very favorable the deterination wrote that although no birds were caught or observed we musty be catching them because other fisheries on another coast was catching them. That fishery was tuna pair trawling and although politically contentous it was very clean. Observer data meant nothing, facts meant nothing. The moral of this is no matter how good the data is if perception is not the same as the data then 100% observer coverage will not be good enough. Mark S Phillips * 

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Docket Phase:	Notice
Phase Sequence:	1
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Current Document ID:	NOAA-NMFS-2016-0139-0009
Title:	Comment from Meghan Lapp 🌐
Number of Attachments:	1
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
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DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8suk-pll2 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Please find our comments attached. * 
First Name: Meghan * 
Middle Name: 
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ZIP/Postal Code:
Email Address:
Phone Number:
Fax Number:
Organization Name: Seafreeze Ltd. 
Cover Page: 

November 4, 2016

Re: Comments on Industry-Funded Monitoring Omnibus Amendment Public Hearing Document
September 2016

1. **Omnibus Alternatives.**

According to the document, the purpose of this omnibus amendment is to “allow the NEFMC and MAFMC to develop industry funded monitoring programs for the collection of information in addition to SBRM”, because the “amount of available Federal funding to support additional monitoring” has been a constraint in the past and “this action is needed for the Councils to prioritize industry-funded monitoring programs across fishery management plans when available Federal funding falls short of the total needed to fully fund all monitoring programs.” (Page 5). Discussions surrounding this document have highlighted the desire by Councils and other groups for more collection of management-related and even scientific information, as well as information related to enforcement of management measures and regulations. We do not agree that programs for collection of information or monitoring/enforcement of regulations are a cost that should be financially borne by industry, particularly when the Federal government is at a loss for finances to do so.

The Magnuson Stevens Act (MSA) specifically addresses the purpose/need for the amendment as specified on page 5 of the public information document “for the collection of information in addition to SBRM”. Section 402 of the Act, “Information Collection”, reads as follows:

(a) **COLLECTION PROGRAMS.-**

- (1) **COUNCIL REQUESTS.-** If a Council determines that additional information would be beneficial for developing, implementing, or revising a fishery management plan....the Council may request that the Secretary implement an information collection program which would provide the types of information specified by the Council.....
- (2) **SECRETARIAL INITIATION.-** If the Secretary determines that additional information is necessary for developing, implementing, revising **or monitoring** a fishery management plan...the Secretary may, by regulation, **implement an information collection or observer program requiring submission of such additional information for the fishery.** (emphasis ours).

Therefore, the MSA is clear how additional Council desired information collection programs for fishery management plans, including monitoring or observer programs, are to be implemented. Section 402(d) details how the Secretary may provide grants, contracts, or other financial assistance for the purposes of carrying out information collection programs. Should the Council or NMFS wish to see observers involved in the “collection of information in addition to

SBRM” (page 5), evident considering that IFM documents prepared during the development of this amendment provided breakdowns of monitor/observer training costs sought to be shared between the agency and the industry,¹ the MSA also provides for sharing of observer training costs, but not with industry. Section 403 OBSERVERS reads as follows:

- (b) TRAINING.- The Secretary, in cooperation with the appropriate states and the National Sea Grant College Program, shall-
- (3) make use of university and any appropriate private nonprofit organization training facilities and resources, where possible, in carrying out this subsection.

Therefore, it appears that universities or nonprofit organizations concerned with specific observer data collection in an FMP may share cost responsibilities of observer training for those programs or observer information collection programs. However, the section says nothing about industry sharing these costs.

Furthermore, management bodies are continually searching for more and better information, and public pressure can and will direct their searches both in magnitude and specificity. In fact, the initial basis for this amendment- the herring and mackerel alternatives- were created in response to various special interest groups and allegations with regards to those fisheries resulting from what was described at a Joint Observer/Herring Committee Meeting on July 1, 2015 as a “public perception problem”. At that meeting, the Joint Committees approved a motion recommending that the problem statement for the herring and mackerel components of the IFM amendment be: “The public questions the accuracy of catch (landings and discards) estimates in the fishery...”.² Private individuals should not be required to foot the bill to address a public perception problem. This is inequitable, and leaves the door open for uninformed public media campaigns to pressure Councils into forcing fishing vessels to pay for all publicly desired information in the future at personal financial loss. Public funds should be used for public purposes. However, as previously mentioned, the MSA does allow for observer training costs to be shared with universities and non-profit organizations should those organizations desire to make facilities and resources available for so doing.

Because the amendment does not address or acknowledge any of these issues, we can only support Omnibus Alternative 1, No Action.

2. Herring Alternatives.

Two of the major goals and objectives identified by the NEFMC for increasing monitoring in the herring fishery are “accurate catch estimates for incidental species for which catch caps apply”, and “affordable monitoring for the herring fishery”. The catch cap species being discussed with relation to small mesh bottom trawl vessels, which include our vessels, are river herring and shad. According to analysis of small mesh bottom trawl observer data (all fisheries), approximately 5%-22% coverage is needed to obtain a 30% CV for river herring and shad catch in that gear type.³ These coverage levels are

¹ See Industry Funded Monitoring Omnibus Amendment July 1, 2015 Discussion Document Appendix, <http://s3.amazonaws.com/nefmc.org/150701-Discussion-Document-Appendix.pdf>, page 10-11, which lists NMFS annual training costs for monitors and a cost per observed sea day of \$61 per day to industry vessels for training.

² See http://s3.amazonaws.com/nefmc.org/7_July-1-final-mtg-summary-observer_herring.pdf.

³ Industry Funded Monitoring Omnibus Amendment Discussion Document, Mackerel Alternatives, Mid Atlantic Fishery Management Council, April 12-14, 2016. See

already being covered by SBRM⁴ and the associated CV is already below 30%. In fact the small mesh bottom trawl herring fishery RH/S catch cap CV was 28.4% in 2014, and 24.5% in 2015.⁵ Additionally, due to the fact that the small mesh bottom trawl fleet includes vessels with permits other than A and B permits, which are targeted by this amendment, the herring alternatives presented would never achieve a 0% CV, even at 100% coverage rates (which is why even 100% observer coverage on small mesh bottom trawl would only have a “Low Positive” on tracking catch caps)⁶. Even staff documents developed during this amendment process have indicated that even Alternative 2.2, up to 100% ASM coverage on small mesh bottom trawl, will have “Negligible” effect on catch tracked against catch caps.⁷ But it will not have a negligible economic effect, on small mesh bottom trawl vessels in general but particularly Seafreeze vessels.

Coverage target considerations, according to the development of this amendment, should ensure that “Benefits of increased monitoring should equal or outweigh the costs of monitoring”.⁸ However, the amendment does not consider the daily catch capacity of vessels in its analysis or alternatives. Small mesh bottom trawl vessels, including Seafreeze vessels, are limited in daily harvesting capacity compared to other herring fishery gear types. Therefore, the daily financial burden on smaller capacity vessels is higher than on large capacity vessels. We have repeatedly raised this issue with the Councils.⁹ The “Negligible” benefits of potential additional catch cap tracking do not outweigh the costs of monitoring for our lesser-daily-capacity small mesh bottom trawl vessels.

None of the additional monitoring alternatives in the document provide for “affordable monitoring for the herring fishery”, especially Seafreeze vessels. Our vessels do not operate solely in the herring/mackerel fisheries; we have multiple permits. We do not always know what species will be available when we leave the dock, so we complete the regulatory call in/declaration process for all appropriate fisheries. We do not fish like other “herring” vessels. If the availability of one species changes, or is not what we had anticipated, we then have the flexibility to cover our operating costs by switching over to a different species. Because our vessels freeze at sea and have limited daily capacity, our trips are also of extended duration, so any daily at sea monitoring costs would impact us disproportionately to all other herring vessels.

To demonstrate this dynamic, several trips are highlighted below. Pre-trip declaration combined with length of trip is what will determine coverage and cost, not herring landed.

https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/56fec92c04426225f77234f4/1459538223368/Tab02_MSB-RHS-Committees.pdf, page 28.

⁴ According to the Herring PDT Meeting Summary Dec 10, 2015, revised Jan 15, 2016, in 2014 observers covered 26.2% of all small mesh bottom trawl trips targeting herring, and preliminary estimates indicated 31% coverage on trips from January-June 2015. See <http://s3.amazonaws.com/nefmc.org/3.151210-Herring-PDT-mtg-summary-REVISED.pdf>.

⁵ Industry Funded Monitoring Amendment Document, Mid Atlantic Fishery Management Council, May 2016. See https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/57504cae746fb9ccc234ba75/1464880308912/Tab09_IFM-Amendment.pdf, page 88.

⁶ See http://s3.amazonaws.com/nefmc.org/3D_Staff-Presentation-on-Herring-Alternatives.pdf, slide 35.

⁷ Ibid.

⁸ Ibid, slide 38.

⁹ See for example, our letter to the Councils at

https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/551edc4ae4b0576112dc4bf3/1428085834669/Tab+06_Industry+Funded+Observer+Amendment.pdf and <http://s3.amazonaws.com/nefmc.org/5.-Council-Letter-Observer-Concerns.Seafreeze.pdf>.

For example, on this 10 day trip below, our primary pre-trip declaration was herring, but the trip consists of no herring and is primarily loligo squid. A per day monitoring cost would be very expensive on a trip of that length. And all of the cost would be borne by squid revenue. This is not unusual. The following 5 day trip was also a declared "herring" trip, but landed no herring. These types of "herring" trips, if they were to incur an at sea monitoring cost would have to be paid for not by herring revenue, but other revenue:

1/15/14-1/24/14; 10 Days

Bluefish - .03%

Butterfish - .36%

Loligo - 97.67%

Illex - 1.45%

12/20/14-12/24/14; 5 Days (Shortened trip because of Christmas)

Butterfish - 88.92%

Loligo - 11.08%

Conversely, we have trips where we expect to find other species but do not, therefore relying on the flexibility to catch herring as a way to cover our costs. For example, these two trips, during which the primary pre-trip declaration was squid, herring was the primary species landed:

12/11/14-12/18/14; 8 Days

Herring - 100%

12/27/14-1/3/15; 8 Days

Butterfish - 1.2%

Mackerel - .26%

Herring - 98.1%

Loligo - .44%

Sub Option 5 would exempt trips landing less than 25 mt from industry funded monitoring requirements, and has been suggested at meetings of a way to address this issue. However, that option will still not account for the fact that the decision whether or not to catch more significant amounts herring will still need to be made prior to leaving the dock. As the information above demonstrates, our primary declaration/intent is not always what determines what species our vessels land, which is why we ensure that we appropriately declare into all possible fisheries in order to maintain flexibility of operations. If that flexibility were taken away, not only would our entire style of fishing would be nullified, but could result in the above trips losing rather than making money. A 25 mt landing will not cover the cost of an 8 day trip.

Pages 301-302 of the EA (attached) illustrate this dynamic. Out of declared herring days in 2014 that did not land herring, 111 are attributed to small mesh bottom trawl, as compared to only 6 single midwater trawl and 4 paired midwater trawl. That would be 111 days of industry funded monitoring on small mesh bottom trawl vessels that would have to be covered by income from other fisheries. Small mesh bottom trawl costs for declared herring trips not landing herring range from \$90,586 compared to \$3,212 at paired midwater trawl and \$5,217 at single midwater trawl for the same monitoring option. This is a function of the type of fishing style described above. Industry funded monitoring costs in this amendment are significantly heavier on small mesh bottom trawl vessels than other vessel types. This is

combined with the fact that even on declared herring trips landing herring, small mesh bottom trawl (i.e. "squid" vessels), have a 7% RTO compared to typical "herring and mackerel" vessels, which have a 15% RTO (page 299 of the EA ,attached). This is also a function of what has been previously mentioned due to daily capacity. Even at 25% ASM coverage, the cheapest cost estimate for small mesh bottom trawl, there is still a \$19,657 annual cost burden for trips that do not even land herring. This amendment is about the erosion of profitability for our vessels.

The herring and mackerel alternatives in the IFM amendment were primarily initiated to address low observer coverage in the midwater trawl herring fishery due to changes with SBRM. It was not to make an entire style of fishing economically or operationally nonviable. It is also not equitable that revenue from other fisheries be siphoned to pay for herring/mackerel monitoring. If our vessels are required to pay for a per day monitoring cost, we could be required to raise the prices on all our products to cover that expenditure. Compounding that, we compete on and against a world market with all of our products, including herring. All of our products are food grade, which means that we have developed and rely on markets that solicit international competition. We are also competing price-wise with companies and vessels from nations where the fishing industry is subsidized by their national government. If forced to raise our prices to pay for an IFM cost, Seafreeze, as well as the United States, will be put at a competitive disadvantage internationally. If we do not increase our prices and the cost were to be paid for by the vessels and crew, the per day monitoring cost may outweigh daily crew compensation, and crews would be forced to pay for "benefits (vacation and sick leave)"¹⁰ afforded to observers that crew themselves do not receive, all while receiving a smaller paycheck. This is inequitable.

Regardless, the industry funded monitoring amendment saddles Seafreeze vessels in particular with more economic harm than any other "herring" vessels due to the nature of our operations. This is unacceptable. Therefore, the only alternatives that we can support would be Alternative 1, No Action, or Alternatives 2.4-2.6, which would keep our vessels at SBRM coverage.

3. Mackerel Alternatives.

All of the comments above pertaining to the herring alternatives also apply to the mackerel alternatives. However, mackerel itself deserves special comment. The current state of the mackerel fishery is less of a directed fishery than in years past. Requiring an industry funded monitoring requirement for mackerel will discourage any directed fishing, including looking for mackerel on any part of a trip fishing for other species. The cost for monitors would without a doubt outweigh the benefits of any coverage in this fishery at this time. Many vessels at this time catch mackerel as an incidental species in the herring fishery, and herring fishery coverage would therefore cover these trips. However, Seafreeze vessels occasionally target mackerel on trips of squid or butterfish. See for example, the composition of these trips:

2/17/14-2/27/14; 11 Days
Butterfish- 72.55%
Mackerel - 27.32%
Loligo - .13%

3/4/14-3/12/14; 9 Days

¹⁰ See <http://s3.amazonaws.com/nefmc.org/150701-Discussion-Document-Appendix.pdf>, page 11.

Butterfish- 8.72%
Mackerel - 23.03%
Loligo - 67.97%
Illex - .25%

The trips are of extended duration, which would require considerable cost to the vessels, and the monitoring cost would undoubtedly need to be covered from revenue other than mackerel. Due to the sporadic/diminished state of the mackerel fishery, a requirement to pay for monitoring would discourage trips like these, and would therefore essentially reduce the mackerel fishery to a bycatch fishery in the herring fishery only. This cannot be consistent with the requirement to achieve optimum yield.

Therefore, for the reasons above as well as those detailed for the herring alternatives, we can only support Mackerel Alternative 1, No Action.

4. Outstanding Issues.

There are still several outstanding issues associated with this amendment:

- A. ASM: At its June 2015 meeting, the NEFMC voted 13/2/2 to “evaluate the ASM program for its effectiveness in support of stock assessments, its total costs to the groundfish fishery (e.g. returns to owner vs ASM costs), data precision and accuracy, and whether it is actually ensuring catch accountability.”¹¹ This was due to concerns raised at both the Groundfish Committee and Council levels of the cost/benefit of the program, the quality of the data produced, the utility and effectiveness of the program.¹² While these motions pertained to the groundfish ASM program, this is all the industry has to compare any future ASM programs to. This evaluation has never been completed, but the Councils are seeking to expand the program to other fisheries. All evaluations should be completed prior to a future action concerning ASM.
- B. Unforeseen circumstances/Industry Profitability: The IFM amendment does not take into account any changes in fishery profitability over time, and industry’s future ability to afford IFM. Sub Option 4 allows the Councils to examine the results of increased herring/mackerel coverage two years after implementation, and allows adjustments via framework or amendment. However, it does not specifically state that industry’s ability to pay should be a driving factor in industry funded monitoring programs. Although costs to industry as a result of the groundfish ASM program represented a large portion of total revenue of the fishery, causing significant numbers of vessels to become unprofitable or face bankruptcy,¹³ and although the Council voted subsequently to request emergency action of NMFS to suspend the groundfish ASM program,¹⁴ this request was rejected by the agency. There is no safeguard for industry in the IFM amendment document to ensure a similar situation would not occur with future industry funded monitoring programs. There is only assurance that the programs would not be activated if the agency did not have the finances for its administration costs. This is unacceptable. It is also something that would not occur should the Councils follow the Magnuson Stevens Act requirements for Information Collection Programs.

¹¹ See http://s3.amazonaws.com/nefmc.org/150615-18_final_motions2.pdf.

¹² See http://s3.amazonaws.com/nefmc.org/11_150604_GF_CTE_Draft_Summary-2.pdf.

¹³ Ibid.

¹⁴ See http://s3.amazonaws.com/nefmc.org/150615-18_final_motions2.pdf

- C. Equality of Trip Selection: The IFM document contains no provisions to ensure equal allocation of observer or monitoring coverage among vessels. This would result in certain vessels being required to individually pay for monitoring costs for the whole fleet's coverage target. For example, below is a log detailing how one Seafreeze vessel received 50% observer coverage for the herring/mackerel fishing year, while the fleet as a whole had a much lower average of coverage:

Observer Coverage for Herring/Mackerel Season, Nov. 2014-April 2015, F/V Relentless

Trip 655 11/21/14-11/25/14; Observer (forced to come in in middle of trip for weather/mechanical problems, but did not offload; counts as one trip for dealer report; counts as two trips for NEFOP purposes)
Trip 656 11/28/14-12/8/14; Observer
Trip 657 12/12/14-12/18/14; No Observer
Trip 658 12/21/14-12/24/14; Observer
Trip 659 12/27/14- 1/3/15; No Observer
Trip 660 (660 A) 1/10/15-1/13/15; Observer (For trip 660, weather problems, had to come to dock, but did not offload; counts as one trip for dealer report; counts as multiple trips for NEFOP purposes)
Trip (660 B) 1/19/15-1/24/15; Observer
Trip (660 C) 1/28/15-2/8/15; No Observer
Trip 661 2/16/15-2/24/15; No Observer
Trip 662 3/6/15-3/17/15; No Observer
Trip 663 3/21/15-3/30/15; No Observer
Trip 664 4/4/15-4/15/15; Observer

Should this occur under an industry funded monitoring program, our vessel would have been significantly and unfairly burdened with costs that other vessels were not.

- D. Discrepancies in Coverage Calculation: The IFM document does not detail how coverage would be calculated. After observing discrepancies in various Council documents as to the level of observer coverage on catch cap trips in 2014 on small mesh bottom trawl vessels,¹⁵ we discovered that coverage levels can be calculated in multiple ways. The amendment does not specify how IFM coverage would be calculated, and therefore we have not been given the opportunity to comment effectively, and the Council has not been given the opportunity to effectively discuss or weigh the options presented.
- E. Limited Public Input: Due to the fact that the initial focus of this amendment was herring and mackerel, the majority of public input has only been through those venues. No other Council Advisory Panels, which are bodies designed to give industry input to the Councils and Committees, were given opportunities to discuss the Omnibus portions of the amendment, and public hearings were not held south of New Jersey, although the Omnibus has the potential to apply to every FMP in the Greater Atlantic Region.

¹⁵ According to the Herring PDT Meeting Summary Dec 10, 2015, revised Jan 15, 2016, in 2014 observers covered approximately 26 % of herring catch cap trips; see <http://s3.amazonaws.com/nefmc.org/3.151210-Herring-PDT-mtg-summary-REVISED.pdf>. However, similar analysis in the MAFMC Supplement to IFM Draft Environmental Assessment document, the same coverage was calculated to be approximately 17%; see https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/57504cae746fb9ccc234ba75/1464880308912/Tab09_IFM-Amendment.pdf, page 88. Upon further investigation, this was discovered to be due to differences in calculation parameters.

Thank you for the opportunity to comment.

Sincerely,
Meghan Lapp
Fisheries Liaison, Seafreeze Ltd.

TABLE 95. SUMMARY OF TOTAL TRIP COSTS FOR HERRING AND MACKEREL VESSELS IN 2014

Cost Category	Description	Average Percent of 2014 Gross Revenue for Herring and Mackerel Vessels	Average Percent of 2014 Gross Revenue for Squid Vessels
Variable Costs	Annual fuel, oil, food, water, ice, carrier vessel, communication, fishing supplies, crew supplies, and catch handling costs	25%	35%
Crew Share	Total annual payments to crew	28%	26%
Repair, Maintenance, Upgrades, Haulout (RMUH)	Annual cost of repairs to engines, deck equipment, machinery, hull, fishing gear, electronics, processing equipment, refrigeration, safety equipment, upgrades and haulout. Because these costs vary considerably from year to year and are typically spread out over several years, only a portion of these costs were applied to 2014 revenue	13%	11%
Fixed Costs	Annual mooring, dockage, permits and licenses, insurance, quota and DAS lease, crew benefits, vessel monitoring, workshop and storage, office, vehicle, travel, association, professional, interest, taxes, and non-crew labor costs Note: depreciation expense of the vessel is not included in fixed costs.	19%	21%
Return to Owner	Gross revenue less variable, crew share, RMUH, and fixed costs	15%	7%

The NEFMC is considering four types of industry-funded monitoring for the herring fishery, including NEFOP-level observers, at-sea monitors, EM, and portside sampling coverage. NEFOP-level and at-sea monitoring coverage would function independently, but EM and portside are intended to be used together.

Selecting Herring Alternative 2.5 rather than Herring Alternative 2.1 reduces total industry monitoring costs from \$811,000 to \$75,000 – a 91% reduction. However, Herring Alternative 2.5 only provides increased monitoring in the Groundfish Closed Areas.

Initial industry cost assumptions for Herring Alternative 2.4 estimated \$325 per sea day for electronic monitoring (cameras on every midwater trawl vessel, video collected for the duration of the trip, 100% video review) and \$5.12 per mt for portside sampling (administration and sampling cost) on close to 100% of trips. Revised industry cost assumptions for Herring Alternative 2.4 estimated \$187 per sea day for electronic monitoring (cameras on every midwater trawl vessel, video collected around haulback, 50% video review) and \$3.84 per mt for portside sampling (only sampling costs) on close to 50% of trips. Using the revised cost assumptions rather than the initial cost assumption for Herring Alternative 2.4 reduces total industry monitoring costs by 51% (\$457,595 to \$222,958) in Year 2 for paired midwater trawl vessels and reduces costs by 54% (\$134,165 to \$61,067) in Year 2 for single midwater trawl vessels.

Many of the vessels that would be impacted by industry-funded monitoring costs in the herring fishery would also be impacted by industry-funded monitoring costs in the mackerel fishery. For example, all the vessels impacted by Herring Alternative 2.1 would also be impacted by Mackerel Alternative 2.1.

A trip must be a declared herring trip in order to land 1 lb or more of herring. The economic analysis focused on trips that landed 1 lb or more of herring because those are the trips that would be subject to industry-funded monitoring. However, industry participants also requested consideration of the economic impacts associated with declared herring trips that did not land any herring.

In 2014, there were 121 sea days for 22 trips that had no herring landings. If 100% NEFOP-level observer coverage was required on those trips, then \$98,978 would have been spent monitoring those trips. If 100% at-sea monitoring coverage was required on those trips, then \$85,910 would have been spent monitoring those trips. The breakdowns of these costs by gear type as well as other coverage levels and monitoring types are provided in Table 96.

TABLE 96. MONITORING COSTS ASSOCIATED WITH DECLARED HERRING TRIPS THAT DID NOT LAND HERRING IN 2014.

	Small Mesh Bottom Trawl	Single Midwater Trawl	Paired Midwater Trawl	Total
Permit Category	A	A	A	
Total Number of Days	111	6	4	121
Total NEFOP Cost – 100% Coverage	\$90,586	\$5,217	\$3,212	\$99,015
Total ASM Cost –	\$78,626	\$4,528	\$2,788	\$85,943

100% Coverage				
Total ASM Cost – 75% Coverage	\$58,970	\$3,396	\$2,091	\$64,457
Total ASM Cost – 50% Coverage	\$39,313	\$2,264	\$1,394	\$42,971
Total ASM Cost – 25% Coverage	\$19,657	\$1,132	\$697	\$21,486
Total EM Cost, Year 2 – \$325 per day		\$2,073	\$1,276	\$3,349
Total EM Cost, Year 2 – \$187 per day		\$1,193	\$734	\$1,927

The tables and box plots on the following pages provide summarized economic data for each of the herring coverage target alternatives. The economic impact on vessels associated with paying for monitoring coverage is described as a percentage of RTO for each herring coverage target alternative in the following figures. The tables provide the mean and median number of sea days per vessel that would result from each of the alternatives, as well as the mean and median RTO that would ultimately be reduced by the industry-funded monitoring costs. Additionally, fleet level effort, revenue, and monitoring cost information for each herring coverage target alternative are also provided. Additional economic analysis is available in Appendix 8.

4.2.5.1 Impacts of Herring Alternatives 1 and 2 on Fishery-Related Businesses


Herring Alternative 1 would not specify a coverage target for an industry-funded monitoring program in the Herring FMP. Monitoring for herring vessels would be allocated according to SBRM. If there was Federal funding available after SBRM coverage requirements were met, additional monitoring for the herring fishery would be evaluated on a case-by-case basis. Under Herring Alternative 1, additional costs to vessels participating in the herring fishery associated with monitoring coverage, if there were any, would be evaluated on a case-by-case basis.

In recent years, observer coverage for the herring fishery has largely been allocated as part of the SBRM. The SBRM is the combination of sampling design, data collection procedures, and analyses used to estimate bycatch in multiple fisheries. The SBRM provides a structured approach for evaluating the effectiveness of the allocation of fisheries observer effort across multiple fisheries to monitor a large number of species. Although management measures are typically developed and implemented on an FMP-by-FMP basis, from the perspective of developing a bycatch reporting system, there is overlap among the FMPs and the fisheries that occur in New England and the Mid-Atlantic that could result in redundant and wasteful requirements if each FMP is addressed independently.

Currently, the herring resource is not overfished, and overfishing is not occurring. Additionally, in recent years, the fleet has had the ability to fully harvest the stock-wide ACL and the sub-ACLs. Selection of Herring Alternative 1 will not likely affect the setting of



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Submitter Info

Comment: John K. Bullard, Regional Administrator NMFS, Greater Atlantic Regional Fisheries Office 55 Great Republic Drive Gloucester, MA 01930. Please consider these my public comments on the omnibus industry funding amendment. I would like to offer the following general comments: 1. The public hearing document does not make it sufficiently clear to the public, that while the mackerel and herring fisheries are the only fisheries immediately impacted by the action, the blueprint for funding provided in this amendment affects all federal fisheries except groundfish and scallops going forward. In short, the vast majority of fishermen have not commented on this action because they did not realize that it pertained to their fishery. 2. Most fishermen in fisheries such as lobster will be extremely surprised to find out that costs they will bear, are being determined now in this action. The document does not sufficiently explain that how and if the lobster fishery will have to pay, will be determined by a framework sometime in the future. Thus, their ability to challenge the legality will be closed because they did not file suit in a timely manner after this action is finalized. Most fisherman are small businesses and not large corporations with a legal staff on full time retainer to review government actions and therefore do not understand that they must object now to something hypothetical in the future. Thus, I think a new public hearing document should be drafted and a new round of public hearings held, to make sure every single fishery in federal waters is notified that they will be potentially liable for costs determined in this amendment. For this reason, I also believe a full economic and social cost analysis should be done by fishery before the amendment is taken out to public hearing. Many small boat fishermen become instantly non- viable across a whole host of fisheries should costs be imposed on them. This amendment has the immediate and foreseeable impact of decreasing the value of their permits even if no further action is taken. Who will want to buy a permit of a vessel that has insufficient revenue to cover the costs of observers? I have heard the defense that this action does not cause any economic impact but puts that decision and action on future councils so an EIS is not needed. I disagree, just the fact of adding another expense onto a faltering industry has an immediate impact on owners and vessels for long term decisions and one more uncertainty in the decision-making process. Just because this does not impose an actual amount on any one fishery, it changes the dynamics of the economics of all fisheries and should be analyzed to allow the fishing industry to make informed comments. It is disingenuous to say that there are not any economic or social impacts connected with this action. In addition, I will offer some specific comments on the Amendment that I think have not been addressed by the

Council or NOAA. I made many of these comments at the January 2016 Council meeting in Portsmouth, New Hampshire. They were not addressed then, and so far, as I can discern, have not been addressed since. Comment1) Monitoring is a function of government and should be funded at levels Congress deems appropriate through NOAA line items in the budget. Comment2) Magnusson allows for the placement of observers on fishing boats but is silent on cost recovery except in specific fisheries in the North Pacific Region. Comment3) The ability to place an additional economic burden on future fisheries without regard to the economic viability of that fishery is not addressed and could easily put future fisheries out of business. Comment4) Comment 3 requires a EIS not an EA to analyze fully the effects on the human environment. Comment5) Data ownership and price negotiation should be clarified. If fishermen are forced to pay government approved, for profit private contractors, fishermen should own the resulting data and have the ability to negotiate the costs on a vessel by vessel basis. Comment6) No discussion of the issue of observer bias is present in the document. When the government pays the observers, they are beholden to the government. When the industry pays, some observers could become biased in favor of the person paying the bill. This is already occurring in groundfish. It is subtle, but occurring, and probably unstoppable. Thus, the scientific utility of the data collected is uncertain. As a scientist, I would be very concerned with this issue. For all these reasons, I believe the best course of action is to withdraw the omnibus amendment and take up the issue with Congress when Magnusson is reauthorized. Sincerely, David Goethel Owner/Operator F/V Ellen Diane 23 Ridgeview Terrace Hampton, NH 03842 *🌐

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Middle Name: 🌐

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Organization Name: 🌐

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Mr. John Bullard,

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2. Most fishermen in fisheries such as lobster will be extremely surprised to find out that costs they will bear, are being determined now in this action. The document does not sufficiently explain that how and if the lobster fishery will have to pay, will be determined by a framework sometime in the future. Thus, their ability to challenge the legality will be closed because they did not file suit in a timely manner after this action is finalized. Most fisherman are small businesses and not large corporations with a legal staff on full time retainer to review government actions and therefore do not understand that they must object now to something hypothetical in the future.

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For this reason, I also believe a full economic and social cost analysis should be done by fishery before the amendment is taken out to public hearing. Many small boat fishermen become instantly non- viable across a whole host of fisheries should costs be imposed on them. This amendment has the immediate and foreseeable impact of decreasing the value of their permits even if no further action is taken. Who will want to buy a permit of a vessel that has insufficient revenue to cover the costs of observers? I have heard the defense that this action does not cause any economic impact but puts that decision and action on future councils so an EIS is not needed. I disagree, just the fact of adding another expense onto a faltering industry has an immediate impact on owners and vessels for long term decisions and one more uncertainty in the decision-making process. Just because this does not impose an actual amount on any one fishery, it changes the dynamics of the economics of all fisheries and should be analyzed to allow the fishing industry to make informed comments. It is disingenuous to say that there are not any economic or social impacts connected with this action.

In addition, I will offer some specific comments on the Amendment that I think have not been addressed by the Council or NOAA. I made many of these comments at the January 2016 Council meeting in Portsmouth, New Hampshire. They were not addressed then, and so far, as I can discern, have not been addressed since.

Comment1) Monitoring is a function of government and should be funded at levels Congress deems appropriate through NOAA line items in the budget.

Comment2) Magnusson allows for the placement of observers on fishing boats but is silent on cost recovery except in specific fisheries in the North Pacific Region.

Comment3) The ability to place an additional economic burden on future fisheries without regard to the economic viability of that fishery is not addressed and could easily put future fisheries out of business.

Comment4) Comment 3 requires a EIS not an EA to analyze fully the effects on the human environment.

Comment5) Data ownership and price negotiation should be clarified. If fishermen are forced to pay government approved, for profit private contractors, fishermen should own the resulting data and have the ability to negotiate the costs on a vessel by vessel basis.

Comment6) No discussion of the issue of observer bias is present in the document. When the government pays the observers, they are beholden to the government. When the industry pays, some observers could become biased in favor of the person paying the bill. This is already occurring in groundfish. It is subtle, but occurring, and probably unstoppable. Thus, the scientific utility of the data collected is uncertain. As a scientist, I would be very concerned with this issue.

For all these reasons, I believe the best course of action is to withdraw the omnibus amendment and take up the issue with Congress when Magnusson is reauthorized.

Sincerely,

David Goethel
Owner/Operator F/V Ellen Diane
23 Ridgeview Terrace
Hampton, NH 03842






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Comment: There should be percent based cap on the amount the observer gets paid. What I am saying is if for example squid is at a daily limit of 2500 lbs at .90 cents back to the boat after shipping expense that leaves a net take of 2250.00 fuel and ice cost another 500.00 leaving 1750.00. now we have to split the money. Boat and crew. What is economically fair. Normally the boat gets between 40-50 %. roughly 850 dollars to the boat owner to cover his expense and 950 split between the crew of 2 or 3 men. Now take observer and do the numbers. 1750 -750 observer leaves 1000. 450 for boat owner 550 split up by crew. Men will quit or not show up for work. We can make more money digging clams. How about when flk is 70 pounds all summer and you have a small boat with a little other stuff. The day might add up to 700.00. What I am suggesting is maximum 20% cap on the daily catch up to pay for the observer. Let all partake in the bad day or slow day of fishing. Our year is made full by the small days. I call them singles as a baseball reference. We do not hit many home runs. This will sink us having to pay for observers. *

First Name: William *

Middle Name: 

Last Name: Reed *

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Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0011
Current Document ID:	NOAA-NMFS-2016-0139-0012
Title:	Comment from Brent Loftes 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/05/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sv1-bwvs 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: For the record I am a small boat owner under 60 Feet a 2 man operation. Frequently I have heard complaints from many observers I have had over the years that they know fisheries managers are not using observer data at all possibly for biological information but not for abundance. So why are paying someone to do a job that has little or no benefit to fish or the people catching them??? Good question??? I think so. So this brings the Next question why the hell should I have to pay someone that is contributing next to zero for the industry??? I personally wouldn't have a problem taking or paying for observers if the data was being used professionally instead a tool to screw fisherman over. You know how I know because NOAA has done nothing but cut quota on nearly every fishery THEY consider threatened through bogus trawl surveys from the Bigelow or blatantly ignoring any collaborative research within the industry. I am opposed to ALL industry funded observers. Do the right thing for a change!!! * 

First Name: Brent * 

Middle Name: 

Last Name: Loftes * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details



Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0012
Current Document ID:	NOAA-NMFS-2016-0139-0013
Title:	Comment from Concerned Fisherman
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/05/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sv7-3ctl 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Industry funded observer coverage is an incredible burden on any sized vessel. Small, medium, large. We have a fraction of a fleet catching a fraction of the fish we are even allowed to catch. Every year changes as far as what we can harvest because of horrible stock assessments. We are cut back every year, causing businesses to fold, shoreside operations to close up, families ruined, ports going by the wayside, etc. having to now pay for observer coverage on top of everything else that has been shoved down the pike for us is insane! This industry is hanging by a thread and here we are again having the rug pulled out from under are feet again. I AM NOT IN FAVOR OF INDUSTRY FUNDED OBSERVER COVERAGE.  

First Name: Concerned  

Middle Name: 

Last Name: Fisherman  

Mailing Address:

Mailing Address 2:

City: 

Country: United States 

State or Province: 

ZIP/Postal Code:

Email Address: Tradfisheries@gmail.com

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details



Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0013
Current Document ID:	NOAA-NMFS-2016-0139-0014
Title:	Comment from Pete Loane 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svn-54tg 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Our discards on the F/V Rose Marie are manageable and the cost to us would be larger than our fuel bill.  

First Name: Pete  

Middle Name: 

Last Name: Loane  

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 





Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0014
Current Document ID:	NOAA-NMFS-2016-0139-0015
Title:	Comment from Joel Hovanesian
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	


XRIN: 

Tracking Number: 1k0-8svo-gg25 

Page Count: 1 

Total Page Count Including Attachments: 1

Submitter Info

Comment: THIS WILL BE THE FINAL NAIL IN THE COFFIN FOR MANY IF NOT ALL FISHING ENTERPRISES ON THE EAST COAST. With all the cutbacks this plan is unaffordable. I am reluctant to even say this because it is my belief that this is exactly what those in power are seeking. Totally opposed to this job/industry killing plan. * 

First Name: Joel * 

Middle Name: 

Last Name: Hovanesian * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 





Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0015
Current Document ID:	NOAA-NMFS-2016-0139-0016
Title:	Comment from Pete Loane 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	



XRIN: 

Tracking Number: 1k0-8svo-mi1a 

Page Count: 1 

Total Page Count Including Attachments: 1

Submitter Info

Comment: I am making a second comment about this bill as the cost to individual boats whether large or small is more than they can afford and still make a decent profit. Industry funded monitoring should never be allowed!  

First Name: Pete  

Middle Name: 


Last Name: Loane  

Mailing Address: 7 Leona Lane

Mailing Address 2:

City: Osterville 

Country: United States 

State or Province: Massachusetts 

ZIP/Postal Code: 02655

Email Address: captainpete1946@gmail.com

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0016
Current Document ID:	NOAA-NMFS-2016-0139-0017
Title:	Comment from Susan Hovanesian 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/06/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svo-dq5t 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: This will kill our family business that we have been running for over thirty years. And thanks for such a short notice. It also seems there is some slight of hand going on here as this plan has been camouflaged by making people think it is a herring mackerel plan. Shame on all of those who are pushing this industry killing scam. * 


First Name: Susan * 

Middle Name: 

Last Name: Hovanesian * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details



Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0017
Current Document ID:	NOAA-NMFS-2016-0139-0018
Title:	Comment from Pete Loane 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *



Document Optional Details


Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	



XRIN: 
Tracking Number: 1k0-8svo-610i 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: This bill applies to all fisheries not to just herring and mackerel. Squid fishing has a low and manageable discard.  


First Name: Pete  


Middle Name: 


Last Name: Loane  

Mailing Address: 7 Leona Lane

Mailing Address 2:

City: Osterville 

Country: United States 


State or Province: Massachusetts 


ZIP/Postal Code: 02655

Email Address: captainpete1946@gmail.com

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0018
Current Document ID:	NOAA-NMFS-2016-0139-0019
Title:	Comment from Mark Zaccaria 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/06/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svp-py27 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Adding this kind of overhead to the operations of an industry already groaning under the weight of questionable regulations does two bad things: 1) It further depresses the number of US Fishing Sorties per year - which further cuts into the contribution the industry makes to the productive economy, and 2) It signals to one and all that the Government does not have faith in its citizens to participate in the management of the Fisheries. You fool-proof a system only when you mean for it to be operated by fools. Note to NOAA: Your bias and prejudice is showing, and it's showing at our expense. *

First Name: Mark *


Middle Name: 

Last Name: Zaccaria *

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0019
Current Document ID:	NOAA-NMFS-2016-0139-0020
Title:	Comment from JG RIE 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *




Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svp-hi6i 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: It is my opinion that if the government feels it needs more monitoring on fishing vessels in the northeast, the government should bear the costs. If it's the governments responsibility to regulate the fisheries, then it is also their responsibility to bear the costs of data gathering or monitoring to do their job. If the police need to question a witness of an accident, would it be right to make the witness pay for the officers time? And if observers are not data gatherers, but are really monitors it's worse, then it's like making a victim or suspect under surveillance pay for the police persons time. Obviously it comes down to the fact that the government doesn't have enough tools (fishing vessels) to perform their job properly. So in effect they are not only forcing the owners of those tools (fishing vessels) to provide them for free, they are making them pay for their operator (observer). Go to Home Depot and see how you make out with that proposal. I am a shoreside repair and maintenance facility that has supported the fishing fleets in New England for over 60 years. I also have owned, and do own fishing vessels, so I see it from both sides. I have seen the destruction of families, businesses and lively hoods due to fishing regulation. Whether you agree with the need for more fishing regulation has nothing to do with this question. The fact is that fishing regulation has reduced effort, but in the process has ruined lives and families of both fishermen and shoreside support people, almost my own. To ask those of us that survived that regulation to pay for more of the very thing that almost killed us, is not only irresponsible, but immoral. At the end of the year there is no extra money just barely enough for survival, repairs, and maintenance. If we have to pay for monitoring something else will have to be let go, hopefully not safety and maintenance. In my business I have seen the overall effect of fisheries management. I was lucky being able to service other industries, but if you have a fishing boat it's impossible to diversify. * 

First Name: JG * 
Middle Name: 
Last Name: RIE * 
Mailing Address:
Mailing Address 2:
City: 
Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0020
Current Document ID:	NOAA-NMFS-2016-0139-0021
Title:	Comment from Eric Paskerian
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svq-7ova 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: This amendment will destroy what is left of the small fishing businesses that are family owned. They can not afford the additional cost to put observers on the their boats. The government should absorb this cost like they do for other industries. Adding additional expenses to an already marginal industry will likely kill the privately owned small fishing fleet and all that will be left will be corporate owned vessels. * 

First Name: Eric * 


Middle Name: 

Last Name: Paskerian * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0021
Current Document ID:	NOAA-NMFS-2016-0139-0022
Title:	Comment from stephen welch 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svq-gn54 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Why is this even being considered? Look what has happened to the ground fish fleet in New England. I DO NOT make enough money now to pay for observers, my operating expenses are very high. Get the money from the tariffs on imported fish coming into this country. Imported seafood and onerous government regulations have destroyed what was once a viable industry in this country. Please find another industry to destroy ! * 

First Name: stephen * 


Middle Name: 

Last Name: welch * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0022
Current Document ID:	NOAA-NMFS-2016-0139-0023
Title:	Comment from Craig Turner 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svr-zd6f 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: "Industry funded monitoring" is un-American. It reeks of the "guilty until proven innocent" attitude at NMFS. It will surely bankrupt all the family businesses built around local fishing fleets. Why would you want that? * 

First Name: Craig * 

Middle Name: 


Last Name: Turner * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0023
Current Document ID:	NOAA-NMFS-2016-0139-0024
Title:	Comment from Bob Westcott 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *









Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svs-qror 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I totally agree with what Jason Amaru commented on about our financial burden that would be incurred. This would be a stake in the heart of every fisherman. There is no need to have this implemented with all the cooperative research that has been done and what is currently going on. Better things are coming ahead with this. Please do not implement this Omnibus for it will destroy our fisheries and families. This is totally unacceptable. Magnuson act says to absolutely protect the fishermen also!!!! Thank you,Bob Westcott-F/V OCEAN STATE, POINT JUDITH,RI. *

First Name: Bob *
Middle Name: 
Last Name: Westcott *
Mailing Address: 4972 Tower Hill Rd.
Mailing Address 2:
City: Wakefield, 
Country: United States 
State or Province: 
ZIP/Postal Code: 02879
Email Address: FVOCEANSTATE@GMAIL.COM
Phone Number: 401-212-6110
Fax Number:
Organization Name: 
Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0024
Current Document ID:	NOAA-NMFS-2016-0139-0025
Title:	Comment from Charles Etzel
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *


Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svs-qtuy 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I do not support any form of industry funded observer funding . The observer program is a failure . No good data has come out of the observer program. As a taxpayer they have been taken advantage of. As a fishermen we have been taken advantage of. I would recommend we go the other way. Repeal the marine mammal protection act. Scrap the observer program. Classify marine mammals the same way sea gulls are protected. Do not make fishermen pay for NOAA, NMFS, and the Council failed policies. * 

First Name: Charles * 


Middle Name: 

Last Name: Etzel * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0025
Current Document ID:	NOAA-NMFS-2016-0139-0026
Title:	Comment from Jim Durda 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *


Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svt-xwjd 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: This is crazy. On any given trip the observer would be making more than the crew working hard to harvest what he needs to sample. This is just another way for some insider to make money off of the backs of blue collar workers. And put more small boats out of business * 

First Name: Jim * 


Middle Name: 

Last Name: Durda * 

Mailing Address: 71 Oak st

Mailing Address 2:

City: Ashaway 

Country: United States 

State or Province: Rhode Island 

ZIP/Postal Code: 02804

Email Address: honeydoservices@gmail.com

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0026
Current Document ID:	NOAA-NMFS-2016-0139-0027
Title:	Comment from Karen Stefani 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/06/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svt-88ut 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: To impose this type of regulation will be the end of small fishing fleets. It is unfair to put this burden on fisherman, their families and consumers. This is an unfair regulation! * 

First Name: Karen * 


Middle Name: 


Last Name: Stefani * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0027
Current Document ID:	NOAA-NMFS-2016-0139-0028
Title:	Comment from Anonymous Anonymous 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/06/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svu-ebm9 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I am against the mandated observer fees for the simple reason that most fishermen, especially small boat fishermen, cannot afford to pay to the observer fees. While we are subsidizing other industries, why are we penalizing commercial fishermen by forcing mandated observer fees on them? * 

First Name: Anonymous * 

Middle Name: 

Last Name: Anonymous * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0028
Current Document ID:	NOAA-NMFS-2016-0139-0029
Title:	Comment from Jennylyn Beaudette 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/06/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svu-31st 
Page Count: 1 
Total Page Count Including Attachments: 1


Submitter Info

Comment: My dad fished for 33 years but back in 1983 he stopped he had said they were putting more and more regulations on us to the point we just can't make a living, he understood no one wanted over fishing but what you don't understand is you allow other countries to come in with there big processing ships and kill the little man so as you sit back and allow " Walmart " in affect to come in you are shutting each small boat down my dad was right ack in 1983 he said then "they will regulate us out of business " little did he know how right he was I'm so glad he is not here to see his world go under. * 

First Name: Jennylyn * 
Middle Name: 
Last Name: Beaudette * 
Mailing Address: 307 Walden Pond Road
Mailing Address 2:
City: Headland 
Country: United States 
State or Province: Alabama 
ZIP/Postal Code: 36345
Email Address: jennylyn186@gmail.com
Phone Number:
Fax Number:
Organization Name: 
Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0029
Current Document ID:	NOAA-NMFS-2016-0139-0030
Title:	Comment from Wayne Paskerian 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svu-1c5p 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Small fishing families have made tremulous sacrifices. The small boat fleet has been decimated in New England. The pending amendment requiring all fishermen to pay for government mandated observers will be the final death knell. The government should absorb this cost or prorate it as a percentage of the catch. The current amendment should not be passed. * 

First Name: Wayne * 

Middle Name: 

Last Name: Paskerian * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details

Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0030
Current Document ID:	NOAA-NMFS-2016-0139-0031
Title:	Comment from John Peabody 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/06/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *


Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svu-tdvu 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: We are just hanging on now. Another big expense like this may finish us off. Please do not pass this expense on to us. 

First Name: John 

Middle Name: 

Last Name: Peabody 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0031
Current Document ID:	NOAA-NMFS-2016-0139-0032
Title:	Comment from Thomas Williams 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/06/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svv-sqze 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I would like to comment on the Omnibus Amendment for industry funded observer program. As a commercial fishermen for 49 yrs and owner of three commercial vessels I can state unequivocally that I could not afford to pay for observers. With continual cuts in groundfish quotas, fluke quotas, closures for sand dabs and a myriad of other restrictions it is hard enough to exist at a profitable level. The industry as a whole made their position clear when a lawsuit was filed in their behalf at the outset of this process. No other industry in this country pays for monitoring. Our industry has many times offered the very information that now appears to be so critical only to have it termed anecdotal. I find this proposal insulting on a personal and professional level. My three sons and I have well over 100 yrs of fishing experience and represent four generations of fishermen. We do not need outsiders with an average of 6 mos of training to determine our fate. The negative effects of industry funding will far outweigh any positives for the industry. * 

First Name: Thomas * 

Middle Name: 

Last Name: Williams * 

Mailing Address: 6 Rhody Dr.

Mailing Address 2:

City: Westerly 

Country: United States 

State or Province: Rhode Island 


ZIP/Postal Code: 02891

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 





Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0032
Current Document ID:	NOAA-NMFS-2016-0139-0033
Title:	Comment from Patrick Knapp
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	


XRIN: 


Tracking Number: 1k0-8svv-x13y 


Page Count: 1 


Total Page Count Including Attachments: 1

Submitter Info

Comment: The very idea of saddling what little remains of my industry with \$700-per-day observers is revolting. I've stood and watched as the asinine catch share system created Carlos seafood , incredulous that agencies acted surprised that there was corruption. Little regard was paid as hundreds of jobs were lost and families ruined. It is little wonder fishermens tempers around the planet are about to boil over in rage. We are fishing leaner and cleaner and more efficiently than ever, and there is simply no money left at the end of the trip. Now, you want plow under the last few independents and unload the permits on some other faceless entity, who has little regard for the north Atlantic fisheries and won't cower before the baseless lawsuits that are driving this very action? While obviously incapable of shame or morality, you should at least consider what is just and fair, and not make the same mistake yet again. I'm embarrassed on your behalf on how little our fisheries agencies care to learn about the fish stocks they are supposedly protecting. This is disgusting. *


First Name: Patrick *


Middle Name: 


Last Name: Knapp *

Mailing Address: 24 burlingame drive

Mailing Address 2:

City: Charlestown 

Country: United States 


State or Province: Rhode Island 


ZIP/Postal Code: 02813

Email Address: Pckutah7@aol.com

Phone Number: 4015694828


Fax Number: 02813

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0033
Current Document ID:	NOAA-NMFS-2016-0139-0034
Title:	Comment from cory King 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svv-odg5 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Another nail in the coffin for commercial fishing.... For as much money you get for a fiscal year you think you would have enough too pay the observers yourselves instead of screwing the commercial fishermen who are already regulated to the point of bankruptcy *

First Name: cory *

Middle Name: 

Last Name: King *

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0034
Current Document ID:	NOAA-NMFS-2016-0139-0035
Title:	Comment from Michael MacQuarrie
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svv-vbq5 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: This amendment will destroy what is left of the small fishing families. The government should absorb this cost like they do for other industries. Adding additional expenses to an already marginal industry is unconstitutional. If the "government" wants to regulate, regulate. If the Government is insistent on dealing a death blow to an industry, at least be honest about it. * 

First Name: Michael * 

Middle Name: 

Last Name: MacQuarrie * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0035
Current Document ID:	NOAA-NMFS-2016-0139-0036
Title:	Comment from Michael Matulaitis 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/06/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svw-b473 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I have been fishing for 38 yrs. I have had the observer program on the boat since 1990 roughly 26 years for absolutely no benefit to me or the resource. I Guess NEFOP can't get the job if the councils need IFM. And the councils asking my business to pay is absurd! I don't like being threatened by the councils and NMFS with lower quotas The cost to me and my crew far outweighs the benefit. * 

First Name: Michael * 

Middle Name: 

Last Name: Matulaitis * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0036
Current Document ID:	NOAA-NMFS-2016-0139-0037
Title:	Comment from John Rice 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svw-37j0 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: If scientific observers are to be used in any fishery in the United States, that science supports the entire food security of the United States and should be paid for by the U.S. govt. To unduly burden the fishing industry is conter-intuitive to supporting a sustainable fishery. The imposition of the expense of paying for observer/s is a tax and all taxes must be approved by congress, which makes this action illegal. * 

First Name: John * 

Middle Name: 

Last Name: Rice * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0037
Current Document ID:	NOAA-NMFS-2016-0139-0038
Title:	Comment from Troy Sawyer 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *









Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8svx-wh3p 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Industry funded observer coverage will be a tremendous financial burden, to many fisheries. while it seems to work well in the scallop fishery ,less profitable ones cannot afford the hit.100 percent coverage in my eyes is unattainable. PUSH back from industry will be tremendous. With whatever tricks loopholes available observers could not get steady work while you try to amp up.observer coverage is probably a necessary evil, but should remain in its present form.funded by the agency with the responsibility of managing it. * 

First Name: Troy * 
Middle Name: 
Last Name: Sawyer * 
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Fax Number:
Organization Name: 
Cover Page: 



Document Details

Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0038
Current Document ID:	NOAA-NMFS-2016-0139-0039
Title:	Comment from Jon Waldrop
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN:

Tracking Number: 1k0-8svy-mtme

Page Count: 1

Total Page Count Including Attachments: 1

Submitter Info

Comment: The proposed rule to implement industry funded observers is not only uncalled for its ludicrous. With the rising cost of expenses and the harsher fishing restrictions that fisherman have to deal with at present, this would cripple the industry. We have had observer coverage for years and the information collected has shown that our discard rate has fallen under government standards. This proposed rule will not only hurt we the fisherman, but everyone involved in the fishing industry shoreside as well, from gear shops to lumpers all the way to the consumer. Lastly, having an observer on board that a fisherman is financially responsible for will create more friction between regulators and the fishing industry, placing both fishermen and observers in awkward situations and ultimately creating more disciplinary problems. The real question is why doesn't a fisherman get compensated for carrying an observer? The government is collecting data at the fisherman's expense-he should be getting compensated for it, and it would help build relations between fishery regulators and the fisherman as well as help alleviate loss of income under strict fishing regulations. If this proposal goes through it will potentially end a lot of careers and have dire consequences on the U.S. fish market. Jon Waldrop - mate F/V Rose Marie *

First Name: Jon *

Middle Name:

Last Name: Waldrop *

Mailing Address:

Mailing Address 2:

City:

Country:

State or Province:

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:


Organization Name:

Cover Page:








Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0039
Current Document ID:	NOAA-NMFS-2016-0139-0040
Title:	Comment from Avis Hazard Spears 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sw0-gsng 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I live by the ocean, I am a NARRAGANSETT INDIAN, our meals, FISH, economic burden, costly living, FRESH I want, do not burden those who have been providers for so long * 

First Name: Avis * 

Middle Name: 


Last Name: Hazard Spears * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 





Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0040
Current Document ID:	NOAA-NMFS-2016-0139-0041
Title:	Comment from Erik Anderson
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	



XRIN: 

Tracking Number: 1k0-8sw0-fwtp 

Page Count: 1 

Total Page Count Including Attachments: 1

Submitter Info

Comment: While the amendment is comprehensive the scope of its effect is stated on pg V of the Executive Summary to state that it has capability"that would modify ALL FMPs managed by the New England and Mid-Atlantic Fishery Management Councils". With the word "ALL" stated clearly it unfolds into a potential scenario at some unknown time in the future that "ALL" FMPs have the prospect of great negative economic consequences in assuming the cost responsibility of industry funded monitoring. Further to the concern is the fact that the amendment clearly states that these industry funded monitoring costs can be implemented through framework action witch relieves the obligation of an Economic Impact Statement (EIS). This is a fundamental flaw within this amendment that leaves the public affected parties unknown to the economic effects of their future obligation to absorb the costs associated with industry funded monitoring programs. It has been clearly witnessed and experienced within the groundfish fishery that the costs to industry for "at sea monitors" that many small boat fishermen were required to pay made it difficult and impossible to absorb and remain fiscally viable . THat issue still remains controversial today so to enter into a set of circumstances as described in this amendment in this comment is irresponsible. The terms and conditions described in this amendment create the same probability of chaos, volatility, and fiscal discourse. There is limited ability to specifically comment at this time and will also not have the ability to adequately comment at some point in the future since this amendment sets the stage to implement industry funded monitoring programs across "ALL" FMPs without the obligation of providing an EIS through the abbreviated framework process. The amendment does address the many unknown ingredients that would be needed to create an EIS for the range of FMPs it effects BUT BY NO MEANS SHOULD THIS AMENDMENT RELIEVE OR IGNORE THE OBLIGATION AT SOME POINT IN THE FUTURE WHEN IT WOULD BE CONSIDERED OR IMPLEMENTED. In conclusion the Omnibus Amendment is imperfect and derelict of the conditions described above. While it may have satisfied conditions for implementation to the herring and mackerel FMPs does not deserve satus as an Omnibus Amendment across "ALL" FMPs under management of the New England and Mid-Atlantic Councils. As comprehensive as it is, it is not ready to proceed through further process towards implementation under the subjects petaining to FMPs in the future that would have to incur the cost of industry funded monitoring programs through a framework process without the requirement of an EIS and the significant negative economic consequences that would occur  

First Name: Erik  

Middle Name: 

Last Name: Anderson * 

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Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0041
Current Document ID:	NOAA-NMFS-2016-0139-0042
Title:	Comment from Kathleen MacQuarrie 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sw1-zhrf 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: The idea of a forced mandate upon independent fishermen is more government Over- reach! We, the People are tired of our government sticking it's nose into all of our business! The already stringent regulations forced upon the Fishing industry are forcing small private boats out of business.... You are responsible for sinking this Industry and Destroying it! The corporate owned fleet will be the sole survivors, probably because the Fat Cat owners can lobby our corrupt Congressmen. Enough is enough already.... They are already OVER Regulated! Perhaps our Congressmen & Senators would like citizen monitors,(and they would be responsible to pay us out of their pockets) to make sure they are actually doing their jobs and taking care of their constituents like they promise to do during election time! Limited Government is what we want, be responsible and back off the few hard working men & women who are trying to make a decent living at an extremely dangerous job! - A very concerned citizen * 

First Name: Kathleen * 
Middle Name: 
Last Name: MacQuarrie * 
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Country: United States 
State or Province: New Hampshire 
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Phone Number: 603.957.1522
Fax Number:
Organization Name: 
Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0042
Current Document ID:	NOAA-NMFS-2016-0139-0043
Title:	Comment from Eric Lundvall
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *







Document Optional Details

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Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sw1-ujz4 
Page Count: 1 
Total Page Count Including Attachments: 1


Submitter Info

Comment: SIMPLY PUT, THIS PROPOSED AMENDMENT WILL BE THE STRAW THAT BREAKS THE CAMELS BACK FOR MYSELF AND ALL INDEPENDENT COMMERCIAL FISHING OPERATIONS. THERE IS ABSOLUTELY NOT ANOTHER COST THAT MY BUSINESS CAN ABSORB, WITHOUT GOING BANKRUPT. IF MORE OBSERVER COVERAGE IS DESIRED, LET IT COME OUT OF THE DEEP POCKETS OF PEW AND ALL OF THE OTHER BILLION DOLLAR GROUPS WHO WANT TO PUT AN END TO THE FEW REMAINING INDEPENDENT FISHERMEN. NOAA/NMFS KNOWS WHAT OUR BOATS ARE SCRAPING BECAUSE OF THEIR ABSURDLY LOW QUOTAS, ON MOST FISH. DO THE MATH! THIS WILL PUT AN END TO US, OR IS THAT WHAT THE END GOALS IS ANY WAY?? I DO NOT AGREE WITH ANY PART OF THIS INDUSTRY FUNDED OBSERVER AMENDMENT. ERIC LUNDVALL, F/V ESTRELA DO POINT JUDITH , RHODE ISLAND * 

First Name: Eric * 
Middle Name: 
Last Name: Lundvall * 
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Mailing Address 2:
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Country: United States 
State or Province: Rhode Island 
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Phone Number: 6096185360
Fax Number:
Organization Name: 
Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0043
Current Document ID:	NOAA-NMFS-2016-0139-0044
Title:	Comment from john haran 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *









Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sw1-s3yg 
Page Count: 1 
Total Page Count Including Attachments: 1


Submitter Info

Comment: The sectors are no longer financially viable. The groundfishing industry is almost nonexistent and NOAA sits quietly by knowing full well that industry can never ever afford to pay for industry funded monitoring. Electronic monitoring is not the answer. Sector 13 has asked for an arbitration board for years and its request have always fallen on deaf ears. How can NOAA and its partner EDF push for electronic monitoring without answering the question, who owns the data? *

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Last Name: haran *
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Phone Number:
Fax Number:
Organization Name: 
Cover Page: 






Document Details



Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0044
Current Document ID:	NOAA-NMFS-2016-0139-0045
Title:	Comment from Robert Westcott 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	API
Number of Submissions:	1 *











Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sw2-4ndg 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I totally agree with Jason Amaru's comment. We fishermen cannot afford more expenses. We do a lot of industry related projects with NOAA and other agencies over the years and we all do not deserve to be treated this way. The fishermen want to ply their trade. The Magnuson act also promised to protect the fishermen along with the fish. Coexistence is a must!!!! Please do not implement this Omnibus amendment. It would be an economic disaster on small businesses on the sea and those on land. We have had economic studies done up and down the East coast. Please use these assessments and help the fishing communities SURVIVE!! Thank you, Bob Westcott, F/V OCEAN STATE, POINT JUDITH RI.  

First Name: Robert  
Middle Name: 
Last Name: Westcott  
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Mailing Address 2:
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Country: United States 
State or Province: Rhode Island 
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Phone Number: 401-212-6110
Fax Number:
Organization Name: Ocean State Fisheries Inc. 
Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0045
Current Document ID:	NOAA-NMFS-2016-0139-0046
Title:	Comment from Susan Anne Palange
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/06/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *







Document Optional Details

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Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sw3-b42v 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I am a native Rhode Islander, and had the pleasure of being raised in South Kingstown, near our Port of Galilee. I am strongly and adamantly against this proposed rule as a fish and seafood consumer, and as a concerned citizen, and in support of our local fisherman in our state, and neighboring states. Many efforts and regulations in recent years have been far overreaching and have seriously hurt this industry for most if not all the hard working members of our community in this profession, many with a long history and heritage in the fishing and seafood business, as well as, our local economy, other businesses, and the individuals and families affected by it, and we as consumers. This is yet another economic burden that our fisherman simply cannot afford. It will completely and forever damage their industry, whether it be small, medium or large fishing boats. And as a consumer, we want and prefer access to local wild caught fresh fish and seafood by OUR local fisherman that we know, appreciate, and wish to continue supporting. I, and I am certain we, do not want to lose that access. With this proposal, we will either be forced to pay far more for fresh wild caught fish and seafood or forced to buy it farm raised from foreign sources, neither which is acceptable, the latter which I and I am sure many, shall not. Why should our fishermen be penalized and the consumer forced to pay higher prices when the NOAA's budget is over \$9 billion dollars a year??? They can't find \$2 million a year for observers?!?! We want access to buy local fresh wild caught fish and seafood by OUR fishermen at the lowest fair cost possible. Thank you in advance for your careful and thoughtful attention to this matter. * 

First Name: Susan Anne * 
Middle Name: 
Last Name: Palange * 
Mailing Address:
Mailing Address 2:
City: 
Country: 
State or Province: 
ZIP/Postal Code:
Email Address:

Phone Number:

Fax Number:

Organization Name:




Cover Page:





Document Details

Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0046
Current Document ID:	NOAA-NMFS-2016-0139-0047
Title:	Comment from Jim Kendall 🌐
Number of Attachments:	1
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/06/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details


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Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: [🔗](#)
Tracking Number: 1k0-8sw4-2400 [🔗](#)
Page Count: 1 [🔗](#)
Total Page Count Including Attachments: 1

Submitter Info

Comment: Industry Funded Monitoring Costs, Public Comment Nov. 6, 2016
First off, I would like to voice the same opinions & objections that David Goethel has previously, submitted with regard to this issue of "Industry Funded Monitoring Costs" . If for some reason you are unable to locate these comments, I have attached & provided you with a copy of them. Secondly, I feel that there is an enigmatic attempt to misconstrue the differences between an observer program & that of a monitoring program. The educational qualifications, & requirements, along with the reporting classifications of the two levels of oversight are very much different, & are designed for entirely different results; Scientific, vs. Enforcement! Yet, the costs to the industry are reportedly the same! In a recent industry article on the functions of a West Coast observer, it was reported that the per day cost to the fisherman was \$400.00, while the costs that have been reported for observers on East coast groundfish vessels are \$700+/per day. There are an awful lot of questions that need to be responded to, & answered in that "second" point! Thirdly: it seems as if this issue has been deliberately made to look or seem as if it is fairly local in the general area of concern. So much so, that I believe that there has been a reluctance from other sectors of the fishing industry community to get involved in an issue that doesn't appear to affect them. Their reluctance to get "involved" is just so as to not bring the wrath of the NMFS & NOAA. down upon themselves. Once again, the divide & conquer concept that has served the Service throughout the management process is seemingly at work again. I believe that this is borne out by the paucity of public comments from members of the commercial fishing industry! If this is the common belief of many sectors of the fishing industry, then I feel that due diligence has not been done & that the omnibus amendment should be withdrawn & if necessary, should be resubmitted as a standalone amendment. Jim Kendall New Bedford Seafood Consulting Nov. 6, 2016 *[🔗](#)

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Middle Name: [🔗](#)
Last Name: Kendall *[🔗](#)
Mailing Address: New Bedford Seafood Consulting
Mailing Address 2: 19 Weaver Street
City: New Bedford [🔗](#)
Country: United States [🔗](#)


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Fax Number: N/A

Organization Name: 

Cover Page: 

Industry Funded Monitoring Amendment Public Comments

This is the comment portal for the industry funded monitoring amendment. It's only open until Monday, so we need to get comments in quickly. The omnibus part can apply to every fishery in the future, and that needs to be stopped. Please send to anyone else you know and get them and all their crew to write in comments. Even quick one liners. This is a big deal. And if they all thought it was only herring and mackerel originally, make sure to say that. That was the original plan but the sneaks at NMFS are trying to pull a fast one and make EVERY FISHERY PAY FOR OBSERVERS TO THE TUNE OF \$700.00+ PER DAY. The Councils/NMFS have not publicized this to other fisheries or advisory panels, etc. But the omnibus part will affect every fishery. Nobody can afford that in the future, so I would suggest that you and everyone you know comment.

Also even if you are a seafood consumer or run a support business. Your ability to buy local seafood and your business's will be affected immensely. It is VERY IMPORTANT that you comment. Sorry for such short notice but this was just thrown at us and it is critical we comment before the day is over....TODAY! This has to be stopped. Regulations.gov

“Previous statement not attributed to a particular author!” JMK

Mr. John Bullard,

Please consider these my public comments on the omnibus industry funding amendment. I would like to offer the following **general comments**:

1. The public hearing document does not make it sufficiently clear to the public, that while the mackerel and herring fisheries are the only fisheries immediately impacted by the action, the blueprint for funding provided in this amendment affects all federal fisheries except groundfish and scallops going forward. In short, the vast majority of fishermen have not commented on this action because they did not realize that it pertained to their fishery.
2. Most fishermen in fisheries such as lobster will be extremely surprised to find out that costs they will bear, are being determined now in this action. The document does not sufficiently explain that how and if the lobster fishery will have to pay, will be determined by a framework sometime in the future. Thus, their ability to challenge the legality will be closed because they did not file suit in a timely manner after this action is finalized. Most fisherman are small businesses and not large corporations with a legal staff on full time retainer to review government actions and therefore do not understand that they must object now to something hypothetical in the future.

Thus, I think a new public hearing document should be drafted and a new round of public hearings held, to make sure every single fishery in federal waters is notified that they will be potentially liable for costs determined in this amendment.

For this reason, I also believe a full economic and social cost analysis should be done by fishery before the amendment is taken out to public hearing. Many small boat fishermen become instantly non-viable across a whole host of fisheries should costs be imposed on them. This amendment has the immediate and foreseeable impact of decreasing the value of their permits even if no further action is taken. Who will want to buy a permit of a vessel that has insufficient revenue to cover the costs of observers? I have heard the defense that this action does not cause any economic impact but puts that decision and action on future councils so an EIS is not needed. I disagree, just the fact of adding another expense onto a faltering industry has an immediate impact on owners and vessels for long term decisions and one more uncertainty in the decision-making process. Just because this does not impose an actual amount on any one fishery, it changes the dynamics of the economics of all fisheries and should be analyzed to allow the fishing industry to make informed comments. It is disingenuous to say that there are not any economic or social impacts connected with this action.

In addition, I will offer some specific comments on the Amendment that I think have not been addressed by the Council or NOAA. I made many of these comments at the January 2016 Council meeting in Portsmouth, New Hampshire. They were not addressed then, and so far, as I can discern, have not been addressed since.

Comment1) Monitoring is a function of government and should be funded at levels Congress deems appropriate through NOAA line items in the budget.

Comment2) Magnusson allows for the placement of observers on fishing boats but is silent on cost recovery except in specific fisheries in the North Pacific Region.

Comment3) The ability to place an additional economic burden on future fisheries without regard to the economic viability of that fishery is not addressed and could easily put future fisheries out of business.

Comment4) Comment 3 requires a EIS not an EA to analyze fully the effects on the human environment.

Comment5) Data ownership and price negotiation should be clarified. If fishermen are forced to pay government approved, for profit private contractors, fishermen should own the resulting data and have the ability to negotiate the costs on a vessel by vessel basis.

Comment6) No discussion of the issue of observer bias is present in the document. When the government pays the observers, they are beholden to the government. When the industry pays, some observers could become biased in favor of the person paying the bill. This

is already occurring in groundfish. It is subtle, but occurring, and probably unstoppable. Thus, the scientific utility of the data collected is uncertain. As a scientist, I would be very concerned with this issue.

For all these reasons, I believe the best course of action is to withdraw the omnibus amendment and take up the issue with Congress when Magnusson is reauthorized.

Sincerely,

David Goethel

Owner/Operator F/V Ellen Diane

23 Ridgeview Terrace

Hampton, NH 03842






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0047
Current Document ID:	NOAA-NMFS-2016-0139-0048
Title:	Comment from Anonymous Anonymous
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8sw5-a4of 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I am not in favor of industry funded observer program. My husband is a commercial fishing vessel owner and captain. With regulation after regulation this industry is drowning. To make them responsible for the cost of an observer that is hurting them in the long run is absurd. * 

First Name: Anonymous * 


Middle Name: 

Last Name: Anonymous * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0048
Current Document ID:	NOAA-NMFS-2016-0139-0049
Title:	Comment from Chris Scola 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/07/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swb-lg4m 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Dear Mr Bullard This madness has to stop. Its ridiculous that our commercial fishing fleet , who has already been forced to the edge of survival will be forced to bear another unnecessary cost. If NOAA Fisheries insists on putting more inexperienced and unworthy people on the decks of fishing boats then you should do so on your own dime. This endeavor to increase monitoring has nothing to do with sustainability and conservation , its only true objective is to continue the financial strangulation of the industry at the behest of the professional ENGO industry that has corrupted our industry and our nation. The fishing industry, NMFS, and the environmental liars know that this measure will help drive more of the fleet out of business. These are mom and pop stores on main street USA that YOU are financially strangling for no other reason than to appease your masters from big energy that use these ENGO groups as a weapon to clear fishermen from the sea. If our nations food security and the well being of our costal communities is of any importance to our government then this plan must halt immeadiately. *

First Name: Chris *

Middle Name: 

Last Name: Scola *

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 


ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0049
Current Document ID:	NOAA-NMFS-2016-0139-0050
Title:	Comment from Faye Passanisi 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/07/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *







Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swc-eikq 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: These observers are outrageously being forced upon fishermen, against their will and to make matters even worse, fishermen should not have to bear the expense of this as well! This is just another nail in the coffin of generations of those that derive their living from the sea. It is just another an unfair burden on fishermen which ultimately will prohibit consumers from being able to buy local and fresh seafood. I live in the oldest seaport in America and am sad to say that there are very few fleets in operation here, most were driven out by the government's harsh and unreasonable regulations. What frightens me most is the very real possibility of consumers being railroaded into a foreign market where we read about garbage seafood being passed on the the consumer. The human element is being replaced by the BAS, relying on Best Available Science in a field that has been worked by hard working, honest fishermen/women that know, love and respect the sea as have generations of fishermen/women before them. There are just some things that cannot be REPLACED by technology and fishing happens to be one....Something needs to be done to stop this destructive tsunami by governing authorities and soon before it's too late! The very lifeblood is being strangled from those that derive their living from the sea, it is in their veins and the governing authorities have applied a tourniquet which is stopping the flow, resulting in losing a limb at a time and eventually, God forbid! A slow painful death is being observed and these fishermen/women are paying for this with and out of their livelihood. OUTRAGEOUS! * 

First Name: Faye * 
Middle Name: 
Last Name: Passanisi * 
Mailing Address: 9 Oxford Road
Mailing Address 2: same
City: Gloucester 
Country: United States 
State or Province: Massachusetts 
ZIP/Postal Code: 01930
Email Address: fayepass@yahoo.com

Phone Number:

Fax Number:

Organization Name:



Cover Page:








Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0050
Current Document ID:	NOAA-NMFS-2016-0139-0051
Title:	Comment from Leslie Welch
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	


XRIN: 
Tracking Number: 1k0-8swc-6b7q 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: You continue to take away from the small honest fishermen, they cannot afford this additional expense! The amendment will destroy what is left of the small fishing families. The government should absorb the cost like they do for other industries. Adding additional expenses to an already marginal industry is unconstitutional. * 

First Name: Leslie * 

Middle Name: 

Last Name: Welch * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details










Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0051
Current Document ID:	NOAA-NMFS-2016-0139-0052
Title:	Comment from AMANDA ODLIN
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	


XRIN: 
Tracking Number: 1k0-8swc-2bip 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: This is an Economic Burden that the industry CANNOT bear. * 
First Name: AMANDA * 
Middle Name: 
Last Name: ODLIN * 
Mailing Address:
Mailing Address 2:
City: 
Country: 
State or Province: 
ZIP/Postal Code:
Email Address:
Phone Number:
Fax Number:
Organization Name: 
Cover Page: 



Document Details

Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0052
Current Document ID:	NOAA-NMFS-2016-0139-0053
Title:	Comment from Jeff Jordan 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/07/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN:

Tracking Number: 1k0-8swd-tz0p

Page Count: 1

Total Page Count Including Attachments: 1

Submitter Info

Comment: My name is Jeff Jordan and I fish out of Pt. Judith, Rhode Island on the F/V Prevail. One of our main focuses is herring fishing during the late fall and winter, sometimes extending into the early spring. One of our favorite aspects of the fishery is not only it's efficiency but also how clean the fishery is in terms of bycatch. We have taken observers many times while herring fishing and it turns out to be about the most ineffective use of observer coverage in all of the fisheries that we participate in. On a good day we make just a handful of tows which consist of nothing but herring. I feel as though we (single net trawlers) are being lumped in with mid-water pair trawl vessels which is like comparing bluefin stick boats to giant factory sized tuna seiners. Just because the species being harvested is the same, the method implemented to harvest said fish is what should be the determining factor in the scope of oversight. The majority of vessels that fish the way we do are small operations that absolutely cannot afford these onerous costs for observer coverage that is totally unnecessary. By far the most disturbing part of this conversation is the idea that this type of coverage could be extended to any and all fisheries. If the foundation of this concept is that observers are needed on every vessel that harvests herring than your building will collapse. Unfortunately we are not talking about bricks and mortar, we are talking about human lives and livelihoods. If this goes through many operations will be put out of business due to a flawed concept. Please rescind this concept as it's totally unnecessary and could be the death knell to many fishers and consequently to many communities and their infrastructure. Sincerely, Jeff Jordan *

First Name: Jeff *

Middle Name:

Last Name: Jordan *

Mailing Address: PO Box 1146

Mailing Address 2:

City: Charlestown

Country: United States

State or Province:

ZIP/Postal Code: 02813

Email Address: jj6196@msn.com

Phone Number: 4015296504

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0053
Current Document ID:	NOAA-NMFS-2016-0139-0054
Title:	Comment from Wesley Peterson 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/07/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swe-czfb 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: This is absolutely ludicrous passing observer costs in to small Independent fishermen will put them out of business. We absolutely can not afford industry funded observers * 

First Name: Wesley * 

Middle Name: 


Last Name: Peterson * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details



Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0054
Current Document ID:	NOAA-NMFS-2016-0139-0055
Title:	Comment from bradley keene 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/07/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *








Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swe-y8im 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: If the agency's involved want more information from observers they should pay for the observers. The small fishers barely make a living now without extra expenses of observers. U. S. A. fishermen are the most restricted fishermen in the world and don't need this added burden. We produce healthy natural food sources for the general public. Our products help strengthen the economy. Paying for observers would break the back of small fishing operations. I say no to fishermen funded observers. Thank you. Captain Bradley R. Keene Jr.  

First Name: bradley  
Middle Name: 
Last Name: keene  
Mailing Address: 2463 babylon street
Mailing Address 2:
City: wantagh 
Country: United States 
State or Province: New York 
ZIP/Postal Code: 11793
Email Address: brkeenejr@gmail.com
Phone Number: 5169433083
Fax Number:
Organization Name: 
Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0055
Current Document ID:	NOAA-NMFS-2016-0139-0056
Title:	Comment from Citizen jones
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details


Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swf-2oc3 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Monitoring is a function of government and should be funded at levels Congress deems appropriate through NOAA line items in the budget. Period. *

First Name: Citizen *

Middle Name: 


Last Name: jones *

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 



Document Details

Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0056
Current Document ID:	NOAA-NMFS-2016-0139-0057
Title:	Comment from Jason Jarvis 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/07/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: [🌐](#)
Tracking Number: 1k0-8swf-tpxl [🌐](#)
Page Count: 1 [🌐](#)
Total Page Count Including Attachments: 1

Submitter Info

Comment: I oppose the proposal to have the industry fund observers. We are on the verge of a systemic collapse financially as an industry. *[🌐](#)

First Name: Jason *[🌐](#)

Middle Name: [🌐](#)

Last Name: Jarvis *[🌐](#)

Mailing Address: 70 beach street

Mailing Address 2:

City: Westerly [🌐](#)

Country: United States [🌐](#)

State or Province: [🌐](#)

ZIP/Postal Code: 02891

Email Address: buddhajay108@yahoo.com

Phone Number: 4012073118

Fax Number:

Organization Name: [🌐](#)

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0057
Current Document ID:	NOAA-NMFS-2016-0139-0058
Title:	Comment from Maraliese Beveridge
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swf-zxg0 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: The NMFS already has a program in place to force fishermen to take along an observer at will, on their boats. NOW you want the fishermen to pay the NMFS \$700 per trip for NMFS observers! Shame on you! Find another way to fund your program! This is a ridiculous demand and absurd amount of money! Some trips fishermen go out there in grueling conditions and don't even make \$700. How dare you ask them to reach further into their pockets to fund YOUR observer program. What is your true motive? Are you intentionally trying to put them out of business? Are you trying to put an end to fishing in the Atlantic Ocean? Are you promoting a monopoly on the purchase of imported fish only from foreign countries? If this goes through--the local fishermen may as well just tie-up their boats--this is unjustifiable and plain un-American. The NMFS is supposed to be supporting a healthy and balanced environment for fish and fishing--not try to end fishing, which is our inherent right as people and as Americans. Makes you wonder whose idea this was! Shame on you again! *


First Name: Maraliese *

Middle Name: 

Last Name: Beveridge *

Mailing Address:

Mailing Address 2:

City: 

Country: United States 

State or Province: 

ZIP/Postal Code:

Email Address: redhouse5@optonline.net

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0058
Current Document ID:	NOAA-NMFS-2016-0139-0059
Title:	Comment from John Windels
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/07/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *









Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swf-4pwe 
Page Count: 1 
Total Page Count Including Attachments: 1


Submitter Info

Comment: I am an independent owner/operator of a small fishing vessel. I am opposed to ANY industry funded monitors. I am already required to pay for monitors in the groundfish and scallop fisheries. This has already curtailed my participation in those fisheries and caused unnecessary financial hardship for myself and my son who works with me. We are also forced to take observers/monitors at least twice a month on all other trips during the year in which I have cooperated fully (yet grudgingly) . If I am forced to pay for these monitors also I may not be able to stay in business. This is serious and I doubt it is legal or constitutional. I hope the entire industry can unite and fight this in court if necessary. * 

First Name: John * 
Middle Name: 
Last Name: Windels * 
Mailing Address: 52 Squiretown Road
Mailing Address 2:
City: Hampton Bays 
Country: United States 
State or Province: New York 
ZIP/Postal Code: 11946
Email Address: jwindels3@gmail.com
Phone Number: 5167025063
Fax Number:
Organization Name: 
Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0059
Current Document ID:	NOAA-NMFS-2016-0139-0060
Title:	Comment from adam dyer 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/07/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/07/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
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Submitter Info

Comment: this is a burden that myself as a small entity boat owner and the entire industry as a whole could not afford. with the regulations put on the fishermen this would be detrimental to the fleet * 

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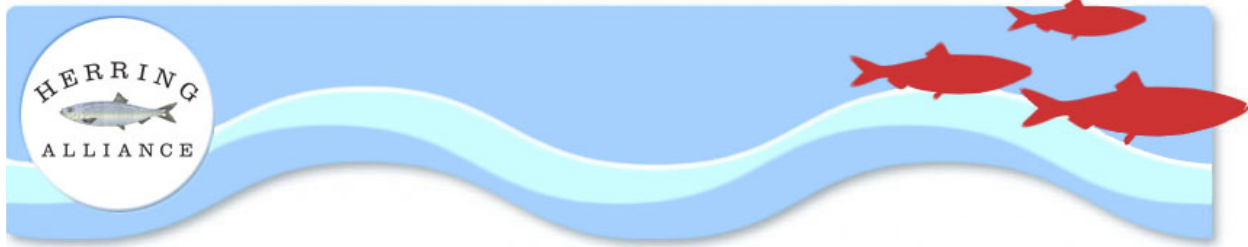
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November 7, 2016

Mr. John Bullard
Regional Administrator
NOAA Fisheries
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
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**RE: Public comment on the Industry-Funded Monitoring Omnibus Amendment
(NOAA-NMFS-2016-0139)**

Dear Mr. Bullard:

I am writing on behalf of the Herring Alliance¹ to offer comment on the Industry-Funded Monitoring Omnibus Amendment (“Amendment”).² Three years ago NOAA Fisheries disapproved measures³ recommended by the New England and Mid-Atlantic Fishery Management Councils (“Councils”) that would have required 100 percent observer coverage on the largest vessels in the herring and mackerel fleets,⁴ and initiated this Amendment. Unfortunately, despite longstanding concerns about lack of accountability and three years of work, this Amendment still includes alternatives that, if selected, will leave the herring and mackerel midwater trawl fleet under-monitored and far short of the Councils’ intent. For reasons discussed below, the Herring Alliance continues to support 100 percent observer coverage on midwater trawlers until a well-designed electronic monitoring (“EM”) and portside sampling (“PS”) program is shown to be an effective replacement for, or complement to, 100 percent observer coverage.⁵

The Amendment cannot satisfy its purpose related to industry funded monitoring programs in the Atlantic Herring FMP and Atlantic Mackerel, Squid, and Butterfish FMP - “to

¹ The Herring Alliance includes 110 organizations representing nearly 2.5 million individuals concerned about the Atlantic coast’s forage fish, including the stocks managed in the MSB FMP, and the impacts of forage fish fisheries on the ecosystem through food web depletion and bycatch.

² See 81 Fed. Reg. 64426 (Sep. 20, 2016) (request for public comment). The IFM Amendment and its environmental assessment (EA) are available at: https://www.greateratlantic.fisheries.noaa.gov/regs/2016/September/160923_draft_ea_for_ifm_omnibus_amendment_with_appendices.pdf (“Industry-Funded Monitoring Amendment”).

³ The disapproved monitoring provisions in Herring Amendment 5 and Mackerel Amendment 14 would have required 100 percent observer coverage on all Category A and B limited access herring vessels and all mackerel limited access midwater trawl and Tier 1 small-mesh bottom trawl vessels.

⁴ See MAFMC (Apr. 2013). Amendment 14 to the Atlantic Mackerel, Squid, and Butterfish (MSB) Fishery Management Plan, Final Environmental Impact Statement (FEIS); see also NEFMC (Mar. 2013). Amendment 5 to the Fishery Management Plan (FMP) for Atlantic Herring, FEIS.

⁵ The Herring Alliance most recently commented on the IFM Amendment on June 14, 2016, however, it has commented on the need for adequate monitoring in these fisheries on numerous occasions.

help improve estimates of catch tracked against harvest limits and fishery catch caps”⁶ – unless it ensures that midwater trawlers do not slip unwanted catch and that all catch is made available for sampling.

Specifically, the Herring Alliance supports the following industry-funded monitoring coverage measures for the Atlantic Herring FMP and the Atlantic Mackerel, Squid, and Butterfish FMP:

- The development of an alternative that requires 100 percent NEFOP-level coverage on all midwater trawl vessels (as opposed to all Category A and B vessels) operating in the herring and mackerel fisheries (**Modified Herring and Mackerel Alternatives 2.1**);
- 100 percent NEFOP-Level Coverage on Midwater Trawl Fleet in Groundfish Closed Areas (**Herring Alternative 2.5**); and
- These requirements should remain in place until a fully effective EM/PS program is developed and implemented for the midwater trawl fleet.

The Herring Alliance does not support:

- **Sub-Option 1** that would allow vessels to be issued waivers to exempt them from industry-funded monitoring requirements, for either a trip or the fishing year, if coverage was unavailable due to funding or logistics;
- **Sub-Option 3** that would require industry-funded monitoring requirements to expire two years after implementation. The monitoring levels adopted by the Councils are intended to gather more information to meet FMP goals and objectives and therefore should not automatically sunset two years after implementation. Instead, the Councils could consider a two-year re-evaluation of the coverage levels (Sub-Option 4) to determine whether and to what degree monitoring should change to meet FMP goals; and
- **Sub-Option 5** that would exempt trips that land less than 25 mt of herring from industry-funded monitoring requirements. As explained in the DEIS, this exemption would bias data used to track against catch caps for haddock and river herring and shad.⁷
- **The pilot project as currently designed.** Instead, NOAA Fisheries and the New England and Mid-Atlantic Councils should use the money received to immediately begin an EM/PS project with all of the core elements described below including maximized retention, slippage consequence measures, 100 percent video based monitoring, video data review, vessel monitoring plans with specific standards, 100 percent portside sampling, compliance measures, third party verification of landed catch, and mandatory participation.

* * *

The midwater trawl fleet participating in the Atlantic herring and mackerel fisheries include the most powerful fishing vessels operating in New England and the Mid-Atlantic, with very large small-mesh nets capable catching 100 metric tons of marine life in a single tow. The power and scale of this fleet makes the risks associated with unintended catch particularly high,

⁶ See Industry-Funded Monitoring Omnibus Amendment Public Hearing Document (September 2016) at 5.

⁷ See Industry-Funded Monitoring Amendment at 304, 353.

with impacts to other fisheries and the ecosystem as a whole. Robust monitoring of the herring and mackerel fisheries should be a mandatory precondition for access to millions of pounds of these vital public resources (i.e., Atlantic herring, mackerel, river herring, shad, and other species incidentally caught). Congress intended that there be both “limits” and “accountability” in fisheries to “protect, restore, and promote the long-term health and stability of the fishery.”⁸ To achieve that accountability, FMPs must include those monitoring and reporting measures necessary to obtain accurate estimates of catch (retained and discarded) and bycatch, including a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery.⁹ Adequate monitoring and bycatch measures are also vital to ensuring that overfishing is prevented.¹⁰ None of this is possible without comprehensive monitoring.

1. The Industry-Funded Herring and Mackerel Coverage Target Alternatives

The Amendment considers three types of monitoring for the herring and mackerel fisheries – Northeast Fisheries Observer Program-level (“NEFOP-level”) observer coverage, at-sea monitoring coverage (“ASM”), and electronic monitoring and portside sampling (“EM/PS”) coverage. However, none of these programs will appropriately address slippage or the observer effect¹¹ without high levels of monitoring.

The Herring Alliance strongly urges NOAA Fisheries and the Councils to approve 100 percent observer coverage with no waivers on all midwater trawl vessels operating in the herring and mackerel fisheries (Modified Herring Alternative 2.1 and Mackerel Alternative 2.1). We recommend the Councils modify these alternatives to apply only to the midwater trawl fleet because these vessels comprise the majority of the directed herring and mackerel fisheries,¹² they are responsible for the majority of river herring and shad catch (57 percent),¹³ and they account for nearly all of the haddock caught by the herring fishery.¹⁴ Vessels of this size and fishing power, using small-mesh gear prone to catastrophic bycatch events of depleted species like river herring and shad, require very high levels of observer coverage.

Also, as explained in the DEIS, allocating monitoring coverage by fishing fleet may be preferable to coverage by permit type because the catch estimation methodology would match the SBRM’s sampling design:¹⁵

⁸ 16 U.S.C. § 1853(a)(1)(A).

⁹ See 16 U.S.C. §§ 1853(a)(5), (a)(11).

¹⁰ See e.g., *Flaherty v. Bryson*, 850 F. Supp. 2d 38, 57 (D.D.C. 2012).

¹¹ An observer effect results when vessels change their fishing practice or location as a result of having an observer on board; See, e.g. Benoît H. P. and J. Allard 2009. Can the data from at-sea observer surveys be used to make general inferences about catch composition and discards? Canadian Journal of Fisheries and Aquatic Sciences 66:2025-2039; Babcock, E.A., E.K. Pikitch, and C.G. Hudson 2003. How much observer coverage is enough to adequately estimate bycatch? Report of the Pew Institute for Ocean Science. Rosenstiel School of Marine and Atmospheric Science, University of Miami, Miami, FL.

¹² For example, the herring midwater trawl fleet harvested the majority (70%) of landings from 2008 to 2014; See Industry-Funded Monitoring Omnibus Amendment (September 2016) at 217 (Tables 60 and 61) and 232 (Table 70).

¹³ See Industry-Funded Monitoring Omnibus Amendment (September 2016) at 106.

¹⁴ See Amendment 5FEIS at 201

¹⁵ See Industry-Funded Monitoring Omnibus Amendment (September 2016) at 263, 342.

Under SBRM, vessels are selected for observer coverage by fishing fleet (based on gear, mesh and area), not based on FMP or permit category. Valid estimates of catch or bycatch (and their variances) rely on formulas that are consistent with the underlying sampling design. Estimates that are inconsistent with the sampling design may be biased, which may impact the utility of the data.

One hundred percent observer coverage also fits the purpose and need of the Amendment and advances the major goals and objectives of the monitoring program,¹⁶ which include implementation of industry-funded monitoring to improve the accuracy of catch estimation and catch caps for river herring and shad and haddock.¹⁷ Additionally, 100 percent observer coverage, especially for vessels using midwater trawl gear, is supported by a majority of stakeholders, including commercial and recreational fishermen, watershed organizations who work to restore river herring, and other conservation groups and ecosystem-dependent businesses throughout New England and the Mid-Atlantic.¹⁸ Finally, it bears repeating that both Councils already voted to adopt requirements for 100 percent observer coverage on the largest vessels in the herring and mackerel fisheries in 2012, which NOAA Fisheries subsequently disapproved citing limited federal funding and legal constraints on the sharing of costs between NOAA Fisheries and the fishing industry.

As explained in the DEIS,¹⁹ “more monitoring could be more effective to meet monitoring goals than less monitoring” and “choosing a higher coverage target has the potential to benefit the herring resource,” “mackerel resource,” and “non-target species,” “by improving management through better data.” Similarly, because the Councils are “interested in increasing monitoring to improve the accuracy of catch estimates, in particular the ability to track catch against catch caps, more monitoring could be more effective than less monitoring.”

Unfortunately, observer coverage in the herring fishery has dropped dramatically since 2014 when 41 percent of all midwater trawl trips were observed.²⁰ In 2015, just 4.7 percent of midwater trawl trips were monitored by observers.²¹ As noted in the Amendment, “the level of observer coverage during 2015 may be more indicative of future observer coverage levels than observer coverage levels from previous years” due to revisions in the SBRM that changed how federal funding is used to allocate observer coverage.²² This is unacceptable. Monitoring this fleet at these extremely low levels could lead to even less robust estimation of catch and bycatch, compromise monitoring of catch caps, and greatly reduce our ability to understand the true

¹⁶ *Id.* at 107, 136.

¹⁷ *Id.* at 59.

¹⁸ For example, over 70,000 public comments were received prior to final action decisions on Amendment 5 and Amendment 14 in support of 100 percent at-sea monitoring on all midwater trawl fishing trips.

¹⁹ See Industry-Funded Monitoring Omnibus Amendment (September 2016) at 269, 278, 348, 356, 309, and 383.

²⁰ See Atlantic Herring Fishery Specifications for the 2016-2018 Fishing Years Including an Environmental Assessment (NEFMC submitted March 1, 2016), at 48.

²¹ See Industry-Funded Monitoring Omnibus Amendment (September 2016) at 251 (Table 79) and 338 (Table 108).

²² See Industry-Funded Monitoring Omnibus Amendment (September 2016) at 251 and 338.

nature and extent of bycatch occurring in these fisheries.²³ Unless higher levels of observer coverage are achieved the accuracy and reliability of the data collected will remain questionable. As explained in previous Herring Alliance comments,²⁴ high levels of observer coverage is the only meaningful way to address net slippage and at-sea discarding of incidentally caught species and to eliminate any concerns that observed trips are different from non-observed trips (i.e., the observer effect).

Although a recently added alternative provides the flexibility to mix and match monitoring programs by gear type, it assumes a transition to EM/PS (*see* Herring Alternative 2.7 and Mackerel Alternative 2.5) without providing any standards for the decision whether it is “an adequate substitute” or not. Further, informed decision making on the proposed EM/PS monitoring program is nearly impossible due to the asynchronous timing of it all as the Councils will take final action on the industry-funded monitoring coverage target alternatives in the herring and mackerel fisheries *before* completion of the EM pilot program,²⁵ the purpose of which is to analyze the utility of EM in monitoring these fisheries. The Councils should use the experience and results from EM project to inform its decision making on the implementation of an effective program.

For all of these reasons, the Herring Alliance opposes anything other than 100 percent observer coverage on midwater trawlers in these fisheries until NOAA Fisheries can prove that it has an effective EM/PS program in place.

2. Transition to Electronic Monitoring and Portside Sampling

As this Amendment has been delayed, the interest in electronic monitoring and portside sampling has increased as a potential alternative to at-sea observer coverage. The Herring Alliance supports a transition to an EM/PS monitoring program provided it is well designed and fully implemented prior to moving to anything less than the 100 percent observer coverage. NOAA Fisheries has received nearly a million dollars in funding for a pilot EM project for midwater trawl vessels and provided summaries of the key aspects of its intended project at multiple meetings including most recently at the September 20, 2016 New England Council meeting. In order to facilitate development of an effective EM/PS monitoring program – one that could provide an alternative or a complement to observers²⁶ – the Herring Alliance recommends that

²³ For example, species that are infrequently encountered or species with high inter-annual and seasonal variability in distribution (such as river herring and shad) are likely to be missed when observer coverage rates are at lower levels.

²⁴ Prior comment letters include the September 28, 2015 Letter to John Bullard regarding the Proposed Rule for Framework 4 to the Atlantic Herring FMP; June 18, 2015 Letter to John Bullard regarding the Proposed Rule for Framework 9 to the MSB FMP; August 14, 2014 Letter to John Bullard, Chris Moore and Thomas Nies regarding the IFM Amendment; July 18, 2013 Letter to John Bullard regarding the DEIS and Proposed Rule for Amendment 5 to the Atlantic Herring FMP; June 21, 2013 Letter to John Bullard regarding the FEIS and Proposed Rule for Amendment 5; June 4, 2012 Letter to Chris Moore regarding the DEIS for Amendment 14 to the MSB FMP; June 4, 2012 Letter to Paul Howard regarding the DEIS for Amendment 5 to the Atlantic Herring FMP.

²⁵ As presented at Herring Committee Meeting (September 20, 2016) the final EM project report is anticipated to be complete by December 2017, nearly a full year after final action on the amendment anticipated in January 2017.

²⁶ EM would not replace the NEFOP sampling program that NOAA Fisheries deems necessary for its scientific needs. NEFOP observers would still be randomly deployed on vessels to collect biological samples and other scientific information.

NOAA Fisheries and the New England and Mid-Atlantic Councils use the money received to immediately begin a project with mandatory participation that includes all of the following core elements:

- **100% video-based monitoring** – The EM system should include a configuration of cameras and gear sensors to verify retention of catch for portside sampling and to verify retention of catch for portside sampling and monitor compliance with discarding/slippage requirements. Cameras should be on from the start of the vessel’s first haul back until the vessel returns to port, and should provide views of all areas where catch is retrieved, sorted and discarded (i.e., haul back, pumping and areas of the deck where catch sorting and discarding occurs). Gear sensors (i.e., drum rotation and hydraulic pressure) must be on for duration of trip to detect fishing activity and activate camera recording. GPS data must be collected to provide high resolution location information for all gear sensor and video data. All information must be captured and stored on a secure, tamper-evident control unit/hard drive. A vessel monitoring plan should be required to outline protocols for the installation, operation and maintenance of the EM system.
- **Maximized retention** – EM/PS will only be effective in the long term if integrated within a maximized retention program requiring vessels to land all fish, including target and non-target species (excluding protected and/or prohibited species). Exempted Fishing Permits could be issued on a temporary basis to allow vessels to retain and land non-permitted catch so all catch is made available for sampling. This would allow NOAA Fisheries to gather the information needed to develop options for retention requirements that may be considered for future adoption. Under maximized retention, minor discarding of non-target species may be allowed. Allowable discarding should occur at a designated location or discard chute equipped with a dedicated high-resolution camera(s) so that all catch can be sampled/estimated through either video recordings or discard logbooks with video imagery reviewed to validate discard amounts. The logbook audit approach is being pursued in the Pacific whiting midwater trawl fishery because it was found to produce reliable estimates at reduced cost.²⁷
- **Slippage measures** – Slippage prohibitions, reporting requirements and consequence measures must apply to trips monitored with EM. These requirements can be monitored through a combination of EM sensors and video cameras, which can be later reviewed to verify whether the vessel operator complied with reporting the event and any consequences that applied. This will require regulatory changes as slippage measures currently only apply to trips monitored by NEFOP observers.²⁸ If it is determined that EM cannot identify the cause of a slippage event, NOAA Fisheries and the Councils should apply the same consequence to all slippage events to aid enforcement while still

²⁷ See PFMC, Electronic Monitoring Draft Environmental Analysis, April 2016, at 44, available at: http://www.pcouncil.org/wp-content/uploads/2016/04/F4_Att2_EM_Analysis_Full_ElectricOnly_APR2016BB.pdf.

²⁸ The slippage consequence measures implemented in Framework 4 to the Atlantic Herring FMP and Framework 9 to the Mackerel, Squid, and Butterfish FMP require all Category A and B herring vessels and Tier 1, 2, and 3 mackerel vessels on observed trips to move 15 nautical miles following an allowable slippage event (i.e., slippage due to safety, mechanical failure, or excess catch of spiny dogfish) and to terminate a fishing trip and return to port following a non-allowable slippage event (i.e., slippage for any other reason).

providing a strong incentive for herring vessels to minimize slippage. Without this accountability (i.e. consequences) there will be continued uncertainty around the effectiveness of the river herring and shad catch caps and the accuracy, completeness, and reliability of catch estimates in these fisheries.

- **Video data review** – Four types of video review should be required: 1) review of footage recorded during haul back and pumping operations to verify retention of catch during fishing operations, 2) review of wide-angle camera view(s) of the deck to monitor discarding outside fishing events, 3) review of allowable discarding of non-target species at designated discard locations or chutes, and 4) review for compliance with slippage prohibitions, reporting requirements and consequence measures. We support 100 percent review of video footage until analysis shows that random subsampling of video can provide a high level of confidence that discarding activity and slippage will be detected.
- **Vessel monitoring plans** – VMPs should provide explicit details how vessels will meet the catch monitoring standards set by NMFS and the Councils. NOAA Fisheries should present a list of specific standards/requirements for council/public consideration and input prior to approval of the EM/PS program. The EM program being developed for the Pacific whiting fishery has an excellent set of performance standards in draft regulatory form that can be used as a starting point for analysis.²⁹ Standards should include, but not be limited to, the following:
 - Protocols for installation, operation and maintenance of the EM system (such as camera and sensor configurations, functionality testing, periodic cleaning of cameras and ensuring the EM system is turned on for the entire fishing trip);
 - Procedures for data storage and transfer;
 - Procedures to follow when an EM system fails;
 - Notification requirements in advance of a landing;
 - Provision of safe and convenient access points and sampling locations for observers and portside samplers; and
 - Procedures to ensure that no unobserved pre-sorting occurs (such as identification of locations on deck where fish retrieval, sorting and discarding should occur so all activity remains in view of the cameras and procedures for demonstrating the cod-end is empty after each haul and that no catch is slipped).
- **100% portside sampling** – 100 percent of vessel landings should be sampled by portside monitors to obtain accurate weights by species of the retained catch. Currently, some offload locations cannot be sampled due to safety or logistical reasons. This should be addressed so sampling can occur at all offload sites. Midwater trawl vessels should be prohibited from landing catch in ports where portside sampling is not available to ensure complete and accurate species composition of the retained catch, to improve tracking of catch caps, and to prevent a loophole scenario where a vessel could avoid being sampled.

²⁹ See PFMC, Deeming of Electronic Monitoring Regulations for Whiting and Fixed Gear Fisheries, April 2016, available at: http://www.pcouncil.org/wp-content/uploads/2016/03/F4a_NMFS_Rpt_EM_reg_deeming_APR2016BB-

- **Compliance measures** - Rules must be defined that stipulate consequences for non-compliance with VMPs. This can include fines for non-compliance and/or requiring higher levels of data review at the vessel's expense. For example, failure to document discarding events could require increased rates of video review on subsequent fishing trips or for the remainder of the fishing year.
- **Third party verification of landed catch** - Independent verification of landings should be considered a core element of a robust portside sampling program. NOAA Fisheries should explore ways to facilitate third party landings verification through proposed portside sampling program.

Until a fully operational and effective EM/PS solution is implemented, the Herring Alliance continues to support a requirement for an observer on every midwater trawl vessel. NOAA Fisheries and the Councils should ensure that any future EM/PS program contains the measures necessary to effectively monitor this high volume fishery, including a maximized retention policy that brings the vast majority of catch to shore for sampling.

Thank you for considering our recommendations for the IFM Amendment.

Sincerely,



Erica A. Fuller
Attorney Earthjustice

On behalf of the Herring Alliance



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Comment: On behalf of Wild Oceans, I respectfully submit the attached comments on the Industry Funded Monitoring (IFM) Omnibus Amendment. *[🌐](#)

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November 7, 2016

John K. Bullard
Regional Administrator
NMFS, Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
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RE: COMMENTS ON IFM OMNIBUS AMENDMENT

Dear Mr. Bullard,

Wild Oceans appreciates the agency's commitment to work with both the New England and Mid-Atlantic Fishery Management Councils to provide a structure for targeted and enhanced catch monitoring through the Industry Funded Monitoring (IFM) Omnibus Amendment. Uncertainty about incidental catch estimates and the effectiveness of catch caps for severely depleted yet ecologically-critical river herring and shad, often retained and therefore overlooked by the discard-based Standardized Bycatch Reporting Methodology (SBRM), underscores the importance of providing the regional councils with tools to fund fishery-specific monitoring programs to meet management goals and objectives.

The IFM Omnibus Amendment was initiated in response to the disapproval of key measures contained in Amendment 5 to the Atlantic Herring Fishery Management Plan (FMP) and Amendment 14 to the Atlantic Mackerel, Squid and Butterfish FMP that would have greatly improved our understanding of retained and discarded incidental catch in these high-volume fisheries. The measures chosen by both councils for inclusion in their respective plan amendments were the result of five years of amendment development informed by comments and testimony from tens of thousands of stakeholders. We strongly supported the original catch monitoring measures and continue to believe that they are the best course forward. Therefore, we support the IFM Omnibus Amendment alternatives that reflect the original intent of the Amendment 5 and Amendment 14 monitoring alternatives. **We urge the Council to select the following as final alternatives to include in the omnibus:**

- **Omnibus Alternative 2:** Standardized structure for industry-funded monitoring programs
 - **Omnibus Alternative 2.2:** Council-led prioritization process
- **Herring Alternative 2:** Coverage targets for IFM Program (**NO SUB-OPTIONS**)

- **Herring Alternative 2.1:** 100% NEFOP-Level Coverage on Category A and B vessels combined with **Herring Alternative 2.5:** 100% NEFOP-level coverage on mid-water trawl fleet in groundfish closed areas
- **Mackerel Alternative 2:** Coverage targets for IFM Program (**NO SUB-OPTIONS**)
 - **Mackerel Alternative 2.1:** NEFOP-Level Coverage [100% on all mid-water trawl vessels, 100% on Tier 1 small-mesh bottom trawl (SMBT), 50% on Tier 2 SMBT and 25% on Tier 3 SMBT]

We appreciate the suite of alternatives explored through this amendment to develop monitoring options that are both effective and affordable. After evaluating options that differ from the original measures chosen for Atlantic Herring Amendment 5 and Atlantic Mackerel, Squid and Butterfish Amendment 14, we determined the best action at this time is to continue to support the councils' final decisions in Amendments 5 and 14 through IFM Omnibus Amendment alternatives that dedicate limited resources to Northeast Fisheries Observer Program (NEFOP) at-sea monitoring focused on the most active participants in each fishery.

NEFOP Coverage Allocation Alternatives

As explained in the IFM Omnibus Amendment (Appendix 5, p. 40), NEFOP observers are trained to collect an array of data and samples that feed essential information into stock assessments and management protocols. There is a key difference between the NEFOP observers and the At-Sea Monitors (ASM): NEFOP observers collect whole specimens, photos and biological samples (etc., scales, otoliths and vertebrae). As a result, there are more applications for the data collected by NEFOP observers, including obtaining valuable age information for use in stock assessments – applications that more than offset the modest cost savings of using ASMs.

In the case of river herring and shad, information obtained by NEFOP observers will be critical for monitoring catch caps as well as for providing useful biological information for improving stock assessments and conservation measures. We note that the recent river herring stock assessment flagged the collection of age information as well as genetic information obtained from biological samples as high priorities for research.¹ Follow-up work by Palkovacs et al. 2014² and Hasselman et al. 2015³ has demonstrated the importance of genetic information for evaluating fishery impacts on anadromous stocks and for targeting conservation strategies.

¹ Atlantic States Marine Fisheries Commission. 2012. River Herring Benchmark Stock Assessment. Stock Assessment Report No. 12-02, pp. 21-23. Available at: <http://www.asmfc.org/shadRiverHerring.htm>.

² Palkovacs, E.P., Hasselman, D.J., Argo, E.E., Gephard, S.R., Limburg, K.E., Post, D.M., Schultz, T.F. and Willis, T.V., 2014. Combining genetic and demographic information to prioritize conservation efforts for anadromous alewife and blueback herring. *Evolutionary Applications*, 7(2), pp.212-226.

³ Hasselman, D.J., Anderson, E.C., Argo, E.E., Bethoney, N.D., Gephard, S.R., Post, D.M., Schondelmeier, B.P., Schultz, T.F., Willis, T.V. and Palkovacs, E.P., 2015. Genetic stock composition of marine bycatch reveals disproportional impacts on depleted river herring genetic stocks. *Canadian Journal of Fisheries and Aquatic Sciences*, 73(6), pp.951-963.

Because river herring and shad are known to mix with Atlantic herring and mackerel at sea, it is imperative to focus monitoring on the vessels that expend the greatest effort pursuing these target species.

- **Category A & B Permit Holders in the Atlantic Herring Fishery**

Industry funding is necessary to achieve coverage levels above SBRM levels, so it is important to distribute the observer cost burden equitably among fishery participants, imposing the highest coverage levels on the vessels that derive the most benefit from the Atlantic herring fishery. In 2010, C vessel revenues from herring were just \$150,000 compared to \$18.4 million for A and B vessels.⁴

Thirty Category A /B vessels (14 mid-water trawls, 9 small mesh bottom trawls, and 7 purse seines) are active in the fishery,⁵ and these vessels account for the vast majority (around 98%) of Atlantic herring landings.⁶ Over 60% of Category A/B vessels are greater than 80 ft. in length.⁷ Given the high volume nature of these vessels, the high inter-annual and seasonal variation in river herring and shad distribution, and the fact that shad and river herring catch events can be rare but quite large when they occur, 100% coverage is necessary for an accurate accounting of incidental catch.

While estimates indicate that mid-water trawl vessels are responsible for the majority of river herring and shad incidental catch,⁸ small mesh bottom trawl (SMBT) interactions with river herring and shad are a growing concern. In the 2016-2018 Atlantic Herring specifications package, the Plan Development Team states that “upon reviewing catch data from the most recent two years (2013-2014), it has become apparent that discards now constitute a much larger proportion of total RH/S catch, particularly for SNE/MA bottom trawl (up to ~73% in 2014).”⁹ We feel strongly that observer coverage must be expanded to SMBT vessels carrying Category A & B permits, even though this gear type catches a small percentage of annual sea herring landings, in order to help ascertain the severity of the problem and effectively track the river herring and shad cap.

Because all mid-water trawl vessels hold either a Category A or B permit, we anticipate that 100% NEFOP coverage for these permits will translate into 100% coverage on mid-water trawl vessels accessing the groundfish closed areas. However, we emphasize our support for Herring Alternative 2.5 because of the great biological and ecological significance of the closed areas.

⁴ NEFMC. 2012. Amendment 5 to the Fishery Management Plan for Atlantic Herring Final Environmental Impact Statement (FEIS), Table 52, p. 255. Available at: http://s3.amazonaws.com/nefmc.org/Volume_1_forfinalsubmission.pdf.

⁵ IFM Omnibus Amendment, Appendix 9, p. 20.

⁶ IFM Omnibus Amendment, p.270.

⁷ See note 4, p. 259.

⁸ IFM Omnibus Amendment, p. 106.

⁹ NEFMC. 2016. 2016-2018 Atlantic Herring Specifications, Appendix 1: Development of Options for River Herring and Shad Catch Caps in the Atlantic Herring Fishery, 2016-2018. Available at: <http://s3.amazonaws.com/nefmc.org/160301-2016-2018-Herring-Specs-Formal-Submission.pdf>

- **Limited Access (Tiers 1, 2 and 3) Permit Holders in the Atlantic Mackerel Fishery**

As discussed in the Final Rule for Amendment 14:

...the Council recommended increases in the observer coverage in the mackerel fishery, specifically 100-percent observer coverage on all limited access mackerel vessels using mid-water trawl (i.e., Tiers 1, 2 and 3) and Tier 1 mackerel vessels using small-mesh bottom trawl, 50-percent coverage on Tier 2 mackerel vessels using small-mesh bottom trawl, and 25-percent on Tier 3 mackerel vessels using small-mesh bottom trawl. Many stakeholders believe this measure is necessary to accurately determine the extent of bycatch and incidental catch in the mackerel fishery. *The Council recommended this measure to gather more information on the mackerel fishery so that it may better evaluate and, if necessary, implement additional measures to address catch and discards of river herring and shad* [emphasis added].¹⁰

The Mid-Atlantic Council's decision was in response to the chronic low levels of observer coverage in mackerel and squid fisheries, which hamper an accurate assessment of river herring and shad bycatch. Amendment 14 explains that from 2006-2010, only 6.5% of total mackerel caught, 11% of shortfin squid caught and 3.5% of longfin squid caught were observed.¹¹

Analyses indicate that that mid-water trawl vessels accounted for 57% of river herring and shad incidental catch between 2010 and 2013.¹² Mid-water trawl vessels are also responsible for a sizable portion of mackerel landings, accounting for 39%, 61% and 47% of landings in 2012, 2013 and 2014 respectively.¹³ According to information presented in Amendment 11 to the MSB FMP, there are 15 mid-water trawl vessels that are eligible for the mackerel limited access program (13 in Tier 1 and 2 in Tier 2).¹⁴ In addition, these same mid-water trawl vessels hold Category A or B permits for the Atlantic herring limited access fishery.¹⁵ Given the overlap in the mid-water trawl fisheries for Atlantic herring and mackerel,¹⁶ observer coverage levels should be consistent between the FMPs.

¹⁰ IFM Omnibus Amendment, Appendix 1, p. 422.

¹¹ MAFMC. 2013. Amendment 14 to the Atlantic Mackerel, Squid and Butterfish Fishery Management Plan (MSB FMP) FEIS, p.204. Available at: <https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/53e3d5fbe4b0e88e72d231c6/1407440379012/Am14FEIS.pdf>

¹² See note 8.

¹³ IFM Omnibus Amendment, Table 70, p. 232.

¹⁴ MAFMC. 2011. Amendment 11 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan, Tables 94-96, pp. 447-448. Available at: https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/518968c5e4b0884a65fe5067/1367959749407/Amendment+11+FEIS+-+FINAL_2011_05_12.pdf

¹⁵ Memorandum from Lori Steele, NEFMC Staff, Herring PDT Chair, to Herring Committee and Advisory Panel Members. "Background Information re. Herring/Mackerel Fishery Interactions," July 22, 2008.

¹⁶ See note 11, Appendix 4.

SMBT vessels are accountable for 33% of river herring and shad incidental catch¹⁷ and also contribute significantly to the overall mackerel catch. For example, in 2012, SMBT landed 57% of the total landings.¹⁸ Therefore, it is important to improve observer coverage in this fleet to achieve precision in incidental catch estimates.

As with the herring fishery, observer cost burden should be distributed equitably among fishery participants. For the mackerel limited access program, 10 SMBT vessels are eligible for Tier 1, and 19 are eligible for Tier 2.¹⁹ Neither Tier 1 nor Tier 2 vessels are capped by a percentage of the quota, and there are no trip limits for Tier 1 vessels. For Tier 3, however, 138 vessels qualify,²⁰ and this tier is capped at 7% of the annual quota. Additionally, the average length of a Tier 3 vessel is 65 ft., compared to 78 ft. for Tier 2 and 110 ft. for Tier 1²¹, making the observer costs significantly more burdensome for vessels in Tier 3 relative to their daily operating costs.

Transition to an Electronic Monitoring /Portside Sampling Program

Portside sampling only captures information for catch that is kept, and therefore misses an important part of the equation. Without maximized retention, not considered in this omnibus, we cannot support a portside monitoring program at this time. However, we do believe that electronic monitoring combined with maximized retention and portside sampling holds great promise.

We are pleased that GARFO and the Northeast Fisheries Science Center are embarking on a pilot program to explore the feasibility of electronic monitoring and portside sampling (EM/PS) for mid-water trawl vessels operating in the Atlantic herring and mackerel fisheries. We encourage the agency to regularly share information about the program with stakeholders and solicit feedback in order to ultimately design a program that fully addresses monitoring needs articulated by the public through the development of Amendments 5 and 14. Until that time, we continue to support 100% NEFOP coverage for the major participants in the herring and mackerel fisheries.

Sincerely,



Pam Lyons Gromen
Executive Director

¹⁷ See note 8.

¹⁸ IFM Omnibus Amendment, p. 232.

¹⁹ See note 14.

²⁰ See note 14.

²¹ See note 14, Table 82, p. 435.






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0062
Current Document ID:	NOAA-NMFS-2016-0139-0063
Title:	Comment from Kristine Harder 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
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DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swi-f2hf 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: As a person who prefers to eat American caught fish, I am very concerned with the financial burden being placed on our fishermen to pay for observers. Stop and think about it, could you afford to make such payments to someone who "observed" you doing YOUR job? Imagine how it would affect your bottom-line . Sadly the market won't adsorb these costs. The fishermen will be paid the same amount, and more and more of them will be forced to find other work. Aren't we trying to GROW the American economy not shrink it? And why is this increased Observer coverage hidden in the Omnibus bill in the first place? Why hasn't this gone to the Regional Councils and gone through die process? *

First Name: Kristine *
Middle Name: 
Last Name: Harder *
Mailing Address: P.O. Box 136
Mailing Address 2:
City: Haines 
Country: United States 
State or Province: Alaska 
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Organization Name: 
Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0063
Current Document ID:	NOAA-NMFS-2016-0139-0064
Title:	Comment from Paul Farnham 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/07/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

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Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swk-2ucg 
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Submitter Info

Comment: Thank you for allowing me to comment. I am strongly opposed to this Industry-Funded Monitoring Omnibus Amendment. I believe that all cost responsibilities associated with monitoring commercial fisherman should be funded totally by NMFS. * 

First Name: Paul * 

Middle Name: 

Last Name: Farnham * 

Mailing Address: po box 2048

Mailing Address 2:

City: montauk 

Country: United States 

State or Province: New York 

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Organization Name: 

Cover Page: 






Document Details


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Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0064
Current Document ID:	NOAA-NMFS-2016-0139-0065
Title:	Comment from Jeffrey Valli
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
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XRIN: 
Tracking Number: 1k0-8swk-n0z4 
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Total Page Count Including Attachments: 1

Submitter Info

Comment: I thought this was only going to be for herring and squid now you want to encompass all fisheries this needs to go back for public comment Jeff valli f/v Bella -v * 

First Name: Jeffrey * 

Middle Name: 


Last Name: Valli * 

Mailing Address: 360 gov.premce Rd

Mailing Address 2:

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Country: 

State or Province: 

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Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0065
Current Document ID:	NOAA-NMFS-2016-0139-0066
Title:	Comment from Robert Cabral 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/07/2016 * 🔗
Date Posted:	11/07/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
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Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swl-b00e 
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Submitter Info

Comment: I simply can not believe that we are even faced with this situation. I can not put into words how much I am opposed to this idea of industry funded observers. You people have gone too far with this. No other industry is forced to pay to police itself. I for one will do everything in my power, should you go forward with this, to organize members of our industry to simply refuse to take observers, period. It is the next step for us if you continue down this path. * 

First Name: Robert * 
Middle Name: 
Last Name: Cabral * 
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Mailing Address 2:
City: Charlestown 
Country: United States 
State or Province: Rhode Island 
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Organization Name: 
Cover Page: 






Document Details


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Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0066
Current Document ID:	NOAA-NMFS-2016-0139-0067
Title:	Comment from James R Lovgren 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/07/2016 * 🌐
Date Posted:	11/07/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

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DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swl-kocp 
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Submitter Info

Comment: I, and the 12 members of the Fishermans Dock Co-op of Point Pleasant totally oppose any industry funding of fishery observers on board our vessels. we believe the program to be totally corrupt and without any benefit to our nation. we have carried observers for over 20 years and have yet to see any valid science or use of this information. the same fisheries are covered over and over again as if something might change, the observers fight over going out on the same comfortable boats, [the ones with the best mattresses] while ignoring smaller vessels. a former Regional administrator continues to enrich himself with his own observer company which was created due to his efforts to push observers into every fishery both while he was administrator and after he left and was funded by NGO's to push his agenda. [He's obviously a Clinton supporter]. To expect a boat that may stock \$1,500.00 a day to pay a worthless observer and the company that employs him half of their daily stock that day is nothing more then insanity. the observer will make more then the captain and his crew, for BS information that will be thrown in the trash can unless it shows a marine mammal or turtle interaction. NMFS should have a lot better ways to waste taxpayers dollars then this government job creation program whose employees last on average only 8 months. The observers quickly learn that what they are doing is a complete and unnecessary waste of taxpayer dollars and quit to find a real job, while the few that stick around do so because they don't have the courage to leave the governments tit. Just like most employees of NMFS, especially the politically appointed hypocrites who run the show solely to enrich their pension and benefit packages. Cancel the observer program and eliminate both NMFS and the corrupt Commerce department that pulls their strings. Thanks, Jim Lovgren * 

First Name: James R * 


Middle Name: 

Last Name: Lovgren * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name:



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Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
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Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0067
Current Document ID:	NOAA-NMFS-2016-0139-0068
Title:	Comment from Jeff Reichle
Number of Attachments:	1
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
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XRIN: 
Tracking Number: 1k0-8swl-288i 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Please accept these comments from Jeff Reichle, President, Lund's Fisheries, Inc., Cape May, NJ 

First Name: Jeff 

Middle Name: 

Last Name: Reichle 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

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November 7, 2016

Mr. John K. Bullard
Regional Administrator
NMFS-GARFO
55 Great Republic Drive
Gloucester, MA 01930-2298
Via Federal e-Rulemaking Portal

Administrator Bullard:

On behalf of the 250 employees of our family-owned, vertically-integrated seafood processing facility and the company-owned and independently-owned commercial fishing vessels and crew working to support us here in the port of Cape May, I am writing to provide our comments on the Joint-Council Omnibus Industry-Funded Monitoring Amendment.

Our comments principally focus on the types of monitoring being considered for the Atlantic herring and Atlantic mackerel fisheries, which we are engaged in.

We are opposed to the Omnibus Amendment being adopted by either Council and encourage both Councils to at least delay further consideration of the Amendment until after the completion of the midwater trawl (MWT) Electronic Monitoring (EM) pilot project and until NMFS can incorporate existing state shoreside monitoring information into river herring and haddock bycatch estimates and projections.

We believe the use of this shoreside monitoring data will improve the CV's around the accuracy and precision of bycatch estimates use to regulate these important pelagic fisheries. If it does, then the Councils may be further guided as to whether or not additional shoreside monitoring of the fleet has value or not and at what cost to the government and/or industry.

Before offering further comments on the Amendment, however, we want to sincerely thank you and your staff at GARFO for finding the resources (\$995,000) to further evaluate the utility, and costs of EM in the herring and mackerel fisheries. There will be 'lessons learned' from this project, which supports delaying the amendment until the project has been completed and the data from it analyzed.

Approving the Omnibus in the GARFO region would mark a turning point in regional fishery management policy by requiring industry funding for monitoring programs, at some unknown cost, which have been funded by the federal government since the passage of the MSA in 1977. Assumingly, this would be forever, potentially for every fishery under New England and Mid-Atlantic Council management, when agreed to at some point by the Councils and the Agency.

This mandate would be in opposition to our reading of Section 402 of the Magnuson Act, however, where it is clearly stated that “information collection” programs in “addition to SBRM” should use grants, contracts or other financial assistance for establishing additional information collection programs. Congress specifically amended the Act to create a basis for industry funded monitoring in the North Pacific, but only at the request of the industry at that time.

This amendment came about following the partial disapproval of two previous Council amendments, which, combined, would have required our herring and mackerel vessels to have a Federally-approved observer on board, for every trip, with the vessel owners agreeing to limit their costs to \$350/day, a sea-day cost for similar monitoring purposes on the West Coast, as understood at that time. The projected costs from every option included in this amendment are much, much higher, however and we are questioning whether or not the additional biological information that may be gathered is worth that additional cost.

Lund’s Fisheries agreed to this \$350/day proposal, at that time, in the hope that questions about our pelagic fisheries’ impacts on incidently-caught species could finally be answered to the satisfaction of all stakeholders and so that we could move ahead with meeting reasonable, biologically-based management goals and objectives in these important regional fisheries in the future. Tremendous uncertainty has existed in these fisheries as a result of the anti-midwater trawl campaign, which has been waged in this region by certain stakeholders for nearly a decade, who refuse to agree with the quality information being provided to the public by the Agency.

Since that time, the Observer Committee has done a good job focusing on what is possible, and at what cost to both government and industry may be expected. The projected costs are steep, however, and most are likely to be unsustainable from our company’s perspective.

Balancing the gathering of more data from these fisheries, with the cost of producing it, is the fundamental issue presented by this Amendment. We believe it is important for the Councils to consider the relative value of gathering additional information in the herring and mackerel fisheries, against comparable estimates of precision, CV’s and accuracy and consistency estimates used to monitor all of the other fisheries under Council management, and we do not believe we have the information in front of us to be certain that equity will exist in the future, relative to most of the options presented in the Amendment.

In the case of the herring and mackerel fisheries that we participate in, however, we realize we are likely going to have to incur some additional costs in the future, but these costs need to be sustainable and balanced, again, with some biological benefits accruing to the herring and mackerel resources. It does not appear that the government is seeking additional monitoring in these fisheries but, instead, as stated above, stakeholder campaigns have created the ‘need’ for this Omnibus Amendment.

At this time our herring and mackerel fishing vessels, the F/V Enterprise and the F/V Retriever, are working with the Observer Program to implement the pilot Electronic Monitoring (EM) program. Again, we sincerely appreciate the Agency’s applying nearly a million dollars into this program to see if the concept works and will meet the seemingly endless concerns of some stakeholders.

Given all of the projected costs with all of the options in the document, some combination of EM and shoreside information (such as what has been gathered in the last several years in the Massachusetts/Maine/SMASST/Cornell voluntary programs) seems like the most-cost effective route forward for our company and the fisheris, but the costs projected in the PID are high and highly uncertain.

We have been supporting the herring RSA program (3% of TAL set aside) in recent years so that the herring and mackerel midwater trawl fishing fleet can fund the voluntary state shoreside program, which targets 50% of landings. We appreciate the Nature Conservancy's support for sustaining the voluntary shoreside monitoring program over the years, also, by making the small mesh bottom trawl fleet's participation possible. Original funding for the program came from the National Fish and Wildlife Foundation several years ago.

Some months ago, the fishing companies who control the information from the voluntary shoreside monitoring program have asked that it be made available to the Councils, as it will likely lower some of the CVs used in projections made in this document, and in the FW 5 document, relative to monitoring incidental catches of river herring or haddock.

All of the future costs and CV's found in the document, no matter which approach is taken – whether it may be some level of at-sea observation (ASM), or cameras, or shoreside monitoring, or some combination of these - can clearly not be projected or compared at this time, so we ask both Councils to set this amendment aside, at least until after the completion of the MWT EM pilot project and until NMFS can incorporate state shoreside information into bycatch estimates and projections of the accuracy and precision of those estimates as they are used to regulate these important pelagic fisheries.

We know, also, that the issue of this existing shoreside information is now being pursued by the New England Council as part of Amendment 8, which, along with FW 5, is producing additional uncertainty in the herring fishery from North Carolina to Maine. Since it is also impossible to project Amendment 8 or FW 5 outcomes at this time, the need to slow down the monitoring amendment becomes even more acute, at this time, in our view.

If the amendment is to be approved in some form by the Councils this year, we urge them not to approve options in the document that would be punitive, such as the 'no waiver' options in Alternative 2. Instead, we strongly support the waiver allowance in herring and mackerel Alternatives 2, sub-option 1.

We believe that the options not to grant waivers if federal funds are not available, for any of the monitoring options in the document, is unlawful as this option would violate National Standard 1 since OY could not be achieved, National Standard 2 because the best available scientific information demonstrates that the SBRM collects precise and accurate information, National Standard 8 since it does not minimize adverse economic impacts on fishing communities and National Standard 9 because it is not practicable to leave a sustainable herring resource in the ocean when adequate bycatch information is already being collected.

We also support both Alternative 2 sub-options, 2 (wing vessel exemption), 4 (2-year reevaluation), and 5 (25 mt threshold) if the amendment were to move ahead this winter.

Omnibus Alternatives:

If the amendment is to move ahead this winter, we offer the following comments on these alternatives and on the herring and mackerel alternatives (below).

We support the Councils' preferred Alternative 2 (Standardized Structure for industry-funded monitoring programs) and the preferred Alternative 2.2 (Council-led prioritization process) as potentially offering the best possibility of industry, Agency and Councils to create reasonable outcomes for the future.

We also support Omnibus Alternative 2.6 (Monitoring Set-Aside) so that a future framework amendment could be used to equitably spread out additional monitoring costs to all permit holders in both the herring and mackerel fisheries.

Herring Alternatives:

Alternative 1 – No coverage target for IFM program, SBRM only, no action.

While we believe this should be a sufficient level of monitoring to manage these fisheries, as is the case in nearly all the other fisheries under the management of both Councils, we do not expect this alternative to prevail.

Alternative 2 – Coverage targets for IFM program

See the above comments relative to sub-options 1-5.

Alternative 2.1 – 100% NEFOP-level coverage on Category A and B vessels

While we support outcomes that would affect Category A and B vessels equally, no matter what gear is being used to harvest herring, we are opposed to this option. The cost is not sustainable, the NEFOP program cannot provide the resources to meet this goal, nor do we believe it is necessary to do so. Some lower level of coverage, perhaps a 25% ASM target should be adequate to understand the biological implications of these fisheries, if an ASM option is to be implemented.

Alternative 2.2 - ASM Coverage on Category A and B vessels

As noted above, if an ASM target option becomes and outcome of this amendment, the target should be no greater than 25%. While we do not know if this goal is either possible or affordable, this level of coverage seems to equate to monitoring levels in other fisheries under Council management in the region and should provide sufficiently adequate levels of accuracy and precision to manage these fisheries into the future.

Alternative 2.3 – Combination Coverage on Category A and B Vessels and MWT Fleet

If an EM/Portside option emerges from this amendment for the MWT fleet, the target level of coverage should be no higher than 50% of trips although it is not clear what those actual costs may be if there were to be a federal, mandatory requirement in the future. A 50% target has been in place for the voluntary program for some time although the information from the program has yet to be analyzed to determine CV, accuracy and precision estimates.

As stated above, a 25% target ASM level should be adequate for both the purse seine and SMBT fleets, if an ASM option were to be selected for these fleets. **We strongly believe that any added monitoring costs should be applied equally and fairly across the purse seine and MWT fleets due to the competitive position of these fleets in the region’s herring fishery.**

Alternative 2.4 – EM and Portside Coverage on MWT Fleet

We do not support this option as it would not apportion future costs equally across the Category A and B MWT and purse seine fleets.

Alternative 2.5 – 100% NEFOP-Level coverage on MWT fleet in Groundfish CAs

We continue to oppose this regulation as being punitive since the MWT fleet does not catch any significant amount of groundfish, other than haddock due to their often residing in the water column, an incidental catch that is being managed with a catch cap. The regulation has led to a needless loss of fishing grounds unless a NEFOP observer is available and should be replaced with other fleet-wide monitoring options.

Alternative 2.6 – Combination coverage on MWT fleet in Groundfish Closed Areas

While we understand this option to provide some other fleet-wide monitoring alternatives for the MWT fleet, which we support, it would provide no purse seine monitoring above SBRM coverage, an approach we are opposed to due to the competitive position of these fleets in the region’s herring fishery. It is our understanding that this option would apply to the ultimately-chosen MWT monitoring program, across the herring fishery, and that special GFCA rules would no longer be in place. There is no biological reason for special GFCA monitoring, which we continue to oppose.

Alternative 2.7 ASM coverage on Category A and B vessels, then vessels may choose either ASM or EM/Portside Coverage

This option seems to be the fairest option in the document in that additional monitoring costs would be applied equally across the herring fleets. We urge the Council to support the a 25% ASM target level and a shoreside monitoring target of no more than 50% of trips. However, as stated above, we do not support this amendment moving forward until the pilot EM project is completed and analyzed and the Agency has considered the value of the information that has been gathered in the voluntary shoreside monitoring program in recent years.

Mackerel Alternatives:

While there are 7 herring alternatives, there are 5 mackerel alternatives. Our mackerel comments mirror our herring comments relative to the support for Alternative 2 sub-options, 1 (waiver), 2 (wing vessel exemption), 4 (2-year re-evaluation) and 5 (25 mt threshold).

We are opposed to a 100% ASM requirement as not practical since Agency resources could not meet this goal, the cost to the industry is too high and this level of coverage is not necessary, from a biological perspective, to sustainably manage the fishery.

Any shoreside level of coverage should not exceed a 50% target and any ASM target should not exceed 25% for the reasons provided above relative to costs and data accuracy and precision estimates across other fisheries under management.

Thank you for the opportunity to provide you with our comments on this important Amendment. Please do not hesitate to contact me with any additional information regarding our concerns and recommendations.

With best regards,


Jeff Reichle

Jeffrey B. Reichle
President

Cc: Chris Moore / Tom Nies



Document Details

Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
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Total Page Count Including Attachments: 1

Submitter Info

Comment: 11/7/16 To Whom It May Concern, Please accept this letter as public comment in OPPOSITION of forcing Fishing Vessels to pay for Government observers during fishing trips. At no time, during the course of this omnibus, has it been made clear that paying for observer coverage was going to apply to the entire fisheries. It has only been listed and discussed under the herring and mackerel management plan. It has given the illusion that coverage was only being considered for those two particular fisheries. At no time did the council make clear the coverage was pertaining to the entire fishing sectors, nor has it been discussed that the council was considering it for all fisheries. Many fishermen have not voiced their opposition until recently, for several reasons. Number one being they are working and cannot be at meetings. That is a consistent problem. Number two is they were not aware of which fisheries this mandate was going to affect. Reiterating the herring and mackerel issue as stated previously. That could be cause for industry to take legal action. It can be construed as deliberate misrepresentation. Knowledge and intent to force monetary obligations onto the industry when obligation is clearly outlined in Magnuson and strictly states it is the responsibility of the Agencies involved, not the industry. The industry simply cannot afford to pay \$800 per day to a company that is and has been owned by a former Regional Management Administrator. There is clear conflict of interest regarding this issue. There always has been. Simply stating, the NEFMC suspended observer coverage because they couldn't pay for it. But, the company that provides a large portion of that coverage needs its meal ticket, so make the industry pay????? What makes the federal govt think we can afford to pay for it. NOAA has a budget of 9 billion dollars, the industry pays those taxes providing that budget, and NOAA can't find 2 million to pay for their legally obligated duty of stock assessments???? There is money under the Salston/Kennedy Act that can be utilized. In fact, NOAA still owes the industry hundreds of millions of dollars regarding the fund that was never paid back after the agency completely misappropriated and illegally mis-spent hundreds of millions on luxury boats, taking judges on foreign trips to Amsterdam, and the likes. That information is documented under the G-cell investigation by the Inspector General of Commerce. The illusion that this information is going to be used for stock assessments and utilized as it is required to, is simply that, an illusion. History clearly shows that any information collected during observed trips in the past does not get included in the actual assessments. NOAA and the councils have publicly admitted that the information sits in a box on the floor of an office for 5 plus years and rarely sees the light of day. That in itself is wasteful and completely unacceptable, but now they want the

fleet to waste their money by paying outrageous costs for observers just to let the info sit on a floor somewhere and fade away??? It cannot be allowed to happen. The industry cannot afford to pay for this. We are barely hanging on as it is. We will be forced to forego maintenance and safety necessities to pay for this coverage. Loss of life will become an issue if we are continually forced to pay for any type of govt assessments and govt science. It is the duty of the govt to provide those services. Even if Electronic Monitoring is considered, the assumption and uncertainty of what is in the net and what discards there are, are not going to be evaluated. It simply eliminates the whole process to begin with. The EM is there to count fish show what is caught and what discards are going to be, but the EM cannot show how much fish are in the net, what type of fish is most abundant, and what is going to go over the side. It completely counter-acts the reason for the \$50,000 camera. Another cost we would be forced to pay. The fact that this program is being rushed into without any thought of what the consequences are going to be, is unacceptable as well. Once it is implemented, it cannot be revoked. Many more boats will be forced to sell and the already large monopoly that exists will only get bigger. It exacerbates the industry, especially crew members, infrastructure, shore-side related businesses, and will ultimately force consumers to pay exorbitantly higher prices for their seafood. It is completely and utterly unacceptable to force the fishing industry to pay for observers on the whim of the agency. The only action to take is to take no action at all. Thank you for consideration of my comments. Sincerely, Tina Jackson, Commercial Fisherman and previous President of AAFC (American Alliance of Fishermen and their Communities) - [] *🌐

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Submitter Info

Comment: I do not support industry funded observer coverage . There is no way this industry could afford the additional cost. * 


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Last Name: Beckwith * 

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Submitter Info

Comment: I don't believe the fisherman should have to pay the expensive costs of monitoring they're fishery. There has to be a better way I suggest that more trip limits and mesh sizes be used and do away with sectors days at sea monitors observers too put  

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Middle Name: 


Last Name: diehl  

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Cover Page: 






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Submitter Info

Comment: please see attached. * 

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Organization Name: Ad Hoc Pelagics Coalition 

Cover Page: 

November 7, 2016

Via Electronic Mail

John K. Bullard, Regional Administrator
NMFS, Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

RE: Comments on the Draft Environmental Assessment for the Omnibus Industry Funded Monitoring Amendment

Dear Regional Administrator Bullard:

These comments are submitted on behalf of the Ad Hoc Pelagics Coalition (“AHPC”), comprised of mackerel and herring midwater trawlers, purse seiners, and processors fishing out of the Gloucester, Massachusetts fishing community. We appreciate this opportunity to comment on the Draft Environmental Assessment for the Industry-Funded Monitoring (“IFM”) Omnibus Amendment (“IFM EA”). As explained below, AHPC can support the creation of an IFM program for the herring and mackerel fisheries, provided the elements of the programs are identical and cost-effective. However, final action on this program should be delayed until after the Councils have the results from the electronic monitoring pilot project. The basis for these positions, as well as details on the specific proposals are set forth below.

First, though, as a general matter, AHPC does not believe the Atlantic herring and mackerel fisheries require enhanced monitoring. Intensive monitoring, particularly of the midwater trawl fleet, in recent years has demonstrated that this fishery is has the highest retention and lowest bycatch of any major fishery in the New England region. Certainly, as representatives of the Northeast Fisheries Science Center (“NEFSC”) have repeatedly testified, there is no scientific justification for extremely high levels of monitoring, least of all 100 percent. The science of sampling can provide precise and accurate information at much lower levels of coverage.

That said, we acknowledge the concerns expressed by other stakeholders and appreciate the New England and Mid-Atlantic Fishery Management Councils’ desire for greater coverage to collect better information for management and to resolve questions raised. It was for these reasons AHPC participants, along with many in these fisheries, supported the cost-sharing proposal contained in Amendment 5 to the Atlantic Herring Fishery Management Plan (“FMP”) and Atlantic Mackerel, Squid, and Butterfish Amendment 14, which the National Marine Fisheries Service (“NMFS”) rightly rejected as contrary to applicable law.

These proposals were deemed by industry participants to be practicable means for addressing the issues and concerns raised regarding the operation of the midwater trawl fleet. The \$325 cap on daily observer expenses represented a compromise that would not make the herring and mackerel fisheries unprofitable. More importantly, this provision was to be reviewed after two years. Given that we know existing science accurately portrays the midwater trawl sector's catch, bycatch, and operations, the industry was confident that this review would result in a rollback of the industry-funded monitoring component of these FMPs. More information will only help dispel myths that have been circulated about our fishery.

Unfortunately, under the revised Standardized Bycatch Reporting Methodology ("SBRM"), which has been stripped of all administrative flexibility due to Oceana Inc.'s lawsuits, the herring and mackerel fisheries lost a significant amount of observer coverage. In effect, these fisheries' exceptional record of minimal bycatch has led to a significant reduction in Northeast Fisheries Observer Program ("NEFOP") sea days. This reduction has upset the industry's critics and has negatively impacted herring and mackerel fishermen by making projections of haddock and river herring/shad ("RH/S"), each subject to bycatch caps, highly volatile.

As such, AHPC can support a new IFM program that adheres to the following principles: It must be –

- practicable in the legal sense. That is, it must not unduly restrict fishing activity nor be so expensive as to render the fisheries unprofitable or only minimal profitable;
- narrowly tailored to provide scientifically robust information, not punitively expansive as some members of the public who oppose these fisheries may wish;
- minimally intrusive on fishing operations;
- consistent for both the Atlantic herring and mackerel fisheries; and
- subject to review and revision by time certain.

That said, no program should be finalized until the results of the electronic monitoring ("EM") pilot program are available. That means the two Councils should defer final action, which is now currently scheduled for December and January by the Mid-Atlantic and New England Councils, respectively. (As an aside, the public would be best served if the two Councils met jointly to take final action in order to both ensure consistency and an equal opportunity for input on the final rules.)

EM and port side monitoring have the potential to be a cost-effective means of achieving the IFM Amendment's goals and objectives. Currently, however, the industry, Councils, National Marine Fisheries Service ("NMFS"), and the public lack vital information on the cost and utility of EM. The current pilot project underway among NEFSC, the Greater Atlantic Regional Fisheries Office ("GARFO"), and Saltwater, Inc., set to be finalized by next fall, will aid the Councils and GARFO in making reasoned decisions. That information will also be useful to the industry and public in making informed comments.

There are no exigencies that counsel for undue haste in making a final determination on the specifics of the herring and mackerel IFM program. For instance, there is no indication that NMFS will have additional funds to shoulder its share of the costs next year or in the foreseeable future. As such, there is no reason to rush to a final decision as to these elements of the amendment. The same considerations do not apply to the omnibus portion of the amendment, which could proceed on the current schedule.

Below AHPC comments on the specific measures proposed in the Omnibus IFM Amendment.

I. Comments on Options and Alternatives in the IFM Amendment

As you are aware, the IFM Amendment is comprised of three parts: (1) an omnibus section that would amend all New England and Mid-Atlantic FMPs to allow for future creation of IFM programs for all fisheries, while also establishing general parameters of such programs; (2) creation of an IFM program for the herring fishery; and (3) creation a program for the mackerel fishery. AHPC has only one broad comment on the first section and will discuss the herring and mackerel programs together, consistent with our position that these two highly integrated fisheries must be subject to common rules.

As to the omnibus section, AHPC believes that the preferred alternative for a prioritization process, *i.e.*, a Council-led process, is the least effective or efficient of those offered. It appears to be the most time and resource intensive of limited Council resources of all the alternatives, particularly given the need for coordination between the two Councils. As such, it may detract from other management priorities, of which there is no lack. We note that the NMFS-led process does provide for Council input, while the formulaic approaches have the benefit of being self-implementing and time-efficient. Among those other alternatives, AHPC has no preference.

Turning to the herring and mackerel IFM program, AHPC cannot stress enough the importance for agreement between the Councils on all aspects of the amendment. Particularly for the midwater trawl sector, the two fisheries are integrally connected. On most trips, a vessel will declare into each fishery because, *a priori*, one does not know if they will encounter one or the other species. Both are important economically. Inconsistent rules will hamstring fishermen and create administrative problems for NMFS.

In terms of specifics, we will first discuss the various sub-options and then the alternatives.

A. AHPC's Preferred Sub-Options

As mentioned above, we firmly believe that the IFM program is legally approvable only if whichever enhanced coverage level selected is waivable in years when NMFS lacks funds for its share of the program's cost. AHPC thus strongly agrees with NMFS preliminary assessment that "[r]educing fishing effort to match available monitoring may lack sufficient justification and be inconsistent with National Standards." IFM EA at 111. Thus, the Councils must select Sub-Option 1. Failing that, NMFS should disapprove this aspect of the amendment.

To be clear, without waivers it would be impossible to harvest optimum yield from either fishery, particularly herring, whose annual catch level ("ACL") is generally fully utilized. A lack of

waivers will reduce allowable fishing effort in most years to a small fraction of current levels. Undoubtedly, this is exactly why some oppose this option.

Such a dramatic reduction in effort and landings would not be effectuated for resource conservation purposes. Those decisions are made by the Councils in consultation with their Scientific and Statistical Committees when determining ACLs for these stocks. It is that science-driven process that determines optimum yield and prevents overfishing as required by National Standard 1.¹

Having determined that the ACL will prevent overfishing and achieve optimum yield, NMFS' duty is provide the fishing industry the means for "achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry." *Id.* That means management measures, unless absolutely mandated by the Magnuson-Stevens Act or other applicable law, cannot unduly deny fishermen a reasonable opportunity to catch the allowable harvest levels.²

The monitoring requirements of the IFM Amendment are not being developed in response to a legal requirement that would otherwise trump the obligations imposed by National Standard 1. They are an adjunct of NMFS' and the Councils' duties under National Standard 9³ and 16 U.S.C. 1853(a)(11), which respectively require minimization of bycatch and bycatch mortality and establishment of an SBRM. Notably, the herring and mackerel fisheries are already monitored in accordance with the SBRM. Additional monitoring provided by an IFM program is utterly discretionary. It is neither "practicable" within the meaning of Magnuson-Stevens Act nor otherwise consistent with the law's substance and intent to restrict sustainable harvest and the economic and social benefits it provides merely for some greater quantum of certainty in catch and bycatch estimates.

In short, an amendment that does not provide waivers is inconsistent with law and must be disapproved in this respect.

Sub-Option 2 would exempt a vessel in a pair trawl operation that does not retain fish from carrying an observer or at-sea monitor under the program. AHPC strongly supports this option. Requiring paid monitoring of a vessel harvesting no fish would increase industry costs while providing no benefits. Any such requirement could be construed as arbitrary and capricious. It is also likely contrary to National Standards 7, requiring cost minimization and unnecessary duplication, and 8, which mandates minimization of adverse economic impacts of management rules.⁴

Sub-Options 3 and 4 are alternatives. Sub-Option 3 would sunset the IFM program after two years. By contrast, Sub-Option 4 calls for review and potential revision of the monitoring requirements after the same amount of time. AHPC can support the review, Sub-Option 4. This option is consistent with the approach the two Councils took in the partially disapproved herring and

¹ 16 U.S.C. § 1851(a)(1).

² *See Western Sea Fishing Co. v. Locke*, 722 F. Supp. 2d 126, 140 (D. Mass. 2010) ("Once optimal yield is set, the Secretary is charged with 'achieving' the optimum yield.").

³ 16 U.S.C. § 1851(a)(9)

⁴ *Id.* § (7), (8).

mackerel amendments. It is commonsense to review a program's performance and costs once experienced is gained. Not reviewing the program, which would be the default if this option is not chosen, is simply untenable. No legitimate public policy purpose is served by failure to adopt this review process.

Finally, Sub-Option 5 exempts trips that "land" less than twenty-five metric tons of herring and mackerel from the program. In general, we are supportive of measures that reduce economic impacts of management measures. However, this is not a measure that would likely affect AHPC's participants. Its adoption would mostly benefit small mesh bottom trawl vessels and other multispecies gear. If the Council believes that improved catch and bycatch information from these fleets is not necessary, they should consider adopting this sub-option. Countervailing considerations include the potential that exempting these trips from coverage "may bias (either higher or lower) the catch tracked against catch caps." IFM EA at 275. This is an important consideration given that improving such tracking is one of the amendment's objectives.

One thing that is unclear, however, is how this exemption would be administered. As it is triggered by the amount of fish landed, presumably one would declare their intent not to land more than the threshold amount to qualify. This could potentially lead to additional discarding. More to the point, the Councils must be clear on how this sub-option will be administered.

B. AHPC's Preferred Alternatives

As noted above, AHPC does not believe additional monitoring is legally necessary or justified by the documented operation of the purse seine and mid-water trawl vessels over time. That said, we share with the Councils and NMFS a desire to put to rest some of the more egregious claims, such as those relating to so-called "slippage," bycatch, and catch reporting. The industry also has a strong interest in more robust estimation of catch in conjunction with the administration of the haddock and RH/S catch caps. The closure of the directed herring fishery due to projections that the haddock cap had been harvested based on a minimal number of observed trips last year demonstrates the need for better systems. We do not want to be at the mercy of one or two bad tows.

While AHPC does support increased monitoring at industry expense in years when NMFS has the resources to fund its share of the costs, its share must be reasonable. The IFM EA makes clear that the benefits of this program on catch accounting, discards, bycatch, protected resources, and the environment are minimal. The IFM program's costs, on the other hand, are very real. Some alternatives, such as 100 percent NEFOP observer coverage, would drain profits to such an extent that many would not be able to continue to fish.

Moreover, 100 percent, or even seventy-five percent, of any method – observers, ASM, or EM review – is, as NEFSC representatives have repeatedly informed the Councils, completely unnecessary. The IFM program goals of accurate catch and bycatch estimation, better ability to administer incidental catch caps, and, most certainly, an affordable program can be met at much

lower coverage levels. A failure to recognize the best available science on bycatch monitoring and estimation, may be found contrary to National Standard 2.⁵

Alternatives that reduce “return to owner” (“RTO”) by twenty percent or more should also be avoided. *See* IFM EA at 308 (Table 97). Such expensive alternatives are likely inconsistent with several national standards. For instance, National Standard 8 provides that conservation and management measures be designed to “provide for the sustained participation of [fishing] communities,” such as Gloucester, and to “minimize adverse economic impacts,” so long as such efforts are “consistent with the conservation requirements of this Act.”⁶ This standard has particular resonance in a rulemaking such as this where existing monitoring already meets legal standards.

National Standard 7, which provides that “[c]onservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication,”⁷ also speaks directly to this issue. The revised guidelines, just recently published by NMFS, note that management councils “should not impose unnecessary burdens on ... individuals.”⁸ “Factors such as fuel costs, enforcement costs, or the burdens of collecting data may well suggest a preferred alternative.” *Id.* The guidelines further specify that “FMPs should demonstrate that the benefits of fishery regulation are real and substantial relative to the added ... costs, as well as costs to the industry of compliance.”⁹ In this case, marginal improvements in data quality can only be achieved at significantly higher costs. Under this standard, it is impossible to determine these illusory benefits are “substantial” when balanced against the very real costs.

In sum, the IFM program that this amendment would establish is entirely discretionary, designed to improve upon these existing systems. As such, the minimization of adverse economic impacts of concern to National Standard 8, and of costs within the meaning of National Standard 7, are particularly relevant.

There is no question that a loss of twenty percent of income, or even ten percent, is significant. Any business would be hard pressed to weather such economic reductions. Moreover, these new monitoring outlays must be considered in light of a series of past and pending future actions that have increased operating costs and reduced efficiency and harvest opportunities for herring and mackerel fishermen. These include area closures, bycatch catch caps, “move along” provisions, and operational requirements. The cumulative impacts of these past, current, and foreseeable future actions on the economic viability of the herring and mackerel fleet are significant. It seems this fishery is being subject to a death by a thousand cuts.

⁵ *Id.* § (s) (“Conservation and management measures shall be based upon the best scientific information available.”).

⁶ 16 U.S.C. § 1851(a)(8).

⁷ *Id.* § (7).

⁸ 50 C.F.R. § 600.340(b).

⁹ *Id.* § (c).

For all these reasons, it is vitally important as both a matter of law and policy to minimize the IFM program costs to the greatest extent possible. In this regard, AHPC notes that coverage targets of twenty-five percent produce coefficients of variation of thirty percent or less – the SBRM standard – for most catch caps. IFM EA at 276. Alternatives that utilize the twenty-five percent levels therefore should be preferred. These best meet all the Councils' goals and objectives, balancing affordability with improvements in catch, bycatch, and catch cap monitoring.

In this regard, electronic monitoring and portside sampling have the potential to provide the desired information in cost-effective manner. However, EM's utility and costs are still highly uncertain. The plain fact is that until the electronic monitoring pilot project is complete, neither the industry, the Councils, nor NMFS has any basis for determining if this approach better meets the IFM programs goals than, for example, some level of at-sea monitoring. For this reason, AHPC reiterates its call to postpone final action on the herring and mackerel program until the results of the project are available.

One of the potential drawbacks to the EM approach is the high upfront costs it entails. It is estimated that the cost of the equipment, its installation, and initial set-up are around \$15,000. That is a very large investment given that NMFS will not have money to fund its expenses to cover additional monitoring for the herring and mackerel IFM program for the foreseeable future. The IFM EA does not specify when this equipment must be purchased and installed should the Councils select an EM option. This makes it very difficult for the AHPC's participants to determine whether EM/portside sampling would be more affordable than at-sea monitoring.

Should the Councils decide to move forward with a vote on this IFM program on the current schedule and select an alternative that includes at least the option for EM, this uncertainty needs to be addressed. AHPC suggest that the Councils recommend that those wishing to use EM be required to develop a vessel monitoring plan once, of course, NMFS develops its operational standards. However, the requirement to purchase and install the equipment should be delayed until NMFS announces that funding is available for the subsequent fishing year.¹⁰

In light of the foregoing principles and discussion, at this time AHPC believes that Alternative 2.7 with a twenty-five percent at-sea monitoring coverage level and either twenty-five or fifty percent level for EM review and portside sampling for all fleets is the only reasonable and lawful option. This approach minimizes costs and adverse impacts while still meeting the Councils' improved data collection goals. It also has the benefit of providing flexibility as between two approaches that will allow individual operators to select the one that best fits his or her business.

AHPC also believes that monitoring requirements for trips in the groundfish closed areas should be the same as the rest of the fishery. There is now years' worth of data from 100 percent observer coverage from such trips that demonstrate haddock bycatch rates in these areas are low and differ

¹⁰ These are the types of details that should be discussed and resolved in a document upon which the public is being asked to comment in advance of final decisions. The lack of such forethought is further evidence that this measure is not ready for prime time.

little from others. There is simply no reason to maintain a separate monitoring program for these areas.¹¹

###

AHPC appreciates your close attention to and consideration of these comments. Please do not hesitate to contact me if you have any questions.

Sincerely,


/s/ Shaun M. Gehan
Counsel to the Ad Hoc Pelagics Coalition

cc: Thomas A. Nies, Executive Director, New England Fishery Management Council
Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council

¹¹ The wording of Alternative 2.6 is somewhat ambiguous. If the effect of this alternative is to align all requirements, including the trip coverage level, with the requirements chosen for the rest of the fishery, then AHPC supports it. If it is meant to require all trips into the groundfish closed areas must be monitored by the method chosen, it should be rejected for lack of a scientific basis.






Document Details










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F/V STARLIGHT & F/V SUNLIGHT

O'Hara Corporation
120 Tillson Ave
Rockland ME 04841

Starlight Inc.
Vinalhaven ME 04863

November 6, 2016

John Bullard
Regional Administer
NMFS, Greater Atlantic Regional Office
55 Republic Drive
Gloucester MA 01930-2298

RE: IFM Omnibus Amendment

Dear John Bullard:

I am writing to provide comments on behalf of the F/V Sunlight and F/V Starlight on the Draft Industry Funded Monitoring (IFM) Omnibus Amendment. These vessels, owned and operated by the O'Hara Corporation and Starlight Inc. respectively, fish for Atlantic Herring throughout the range of the fishery using both midwater trawl and purse seine gear.

The F/Vs Sunlight and Starlight land herring for the lobster bait market in Rockland and Vinalhaven Maine. Vinalhaven is a coastal island community in Penobscot Bay 10 miles from the mainland. The island, with the largest year round population of Maine's islands, is supported by fishing for lobsters. The F/V Starlight is the primary bait delivery vessel for the island. The vessels also fish in southern New England in the winter months, landing in New Bedford, Massachusetts. Our operations support the bait needs of local lobster fishermen that number in the many hundreds in Midcoast Maine.

In general, we were supportive of an affordable monitoring program for the fishery in Amendment 5 to the Atlantic Herring Fishery Management Plan (FMP), and continue to support a practicable, affordable plan. Our vessels are currently participating in the recently initiated electronic monitoring pilot program for this fishery; and it is our hope that this program may provide a cost effective program in the future.

Omnibus Herring Alternatives:

We support Alternative 2, which would implement a mechanism to allow industry funded monitoring if it remains consistent with the goals and objectives of this action to obtain

accurate estimates of catch and discards, including incidental species for which catch caps apply; and be an affordable program for the fishery.

Alternative 2.6

We believe there has been a lack of clarity as this alternative has developed. There have been very high levels of observer coverage in recent years on Georges Bank, especially Closed Area II. This data indicates very low interactions with groundfish species other than haddock, and this mortality is controlled through the incidental catch cap. The costs associated with current requirements are not supported by the data or actual benefits to groundfish stocks. Monitoring for these areas should be set equal to all other areas.

Alternative 2.7

This alternative appears to be the most reasonable of those offered in the document, which would allow a category A/B vessel to choose between at-sea monitors and electronic monitoring/portside sampling (EM/PS) (if/when the program is available). As stated above, our vessels utilize midwater trawls and purse seine gear at different times of the year. It is not practicable to invest in equipment under EM/PS for a portion of the year if the program is not available to both gear types. Additionally, there is a need for waivers under the portside sampling program proposed here for landing in remote island communities. There is not any reasonable substitute for delivering herring to offshore ports.

The high degree of uncertainty in the projected costs for all of the programs proposed in this amendment is a challenge in determining practicability. The electronic monitoring/portside sampling program is particularly concerning as some cost estimates exceed at-sea observer costs. The at-sea coverage target should be limited to no more than 25%, which equates to 9.6% of the return to owner estimate for paired midwater trawls; and an EM/PS target should be set at no more than 50%. Finally, it is important to set equivalent coverage targets for all gear types and sectors in the fishery. The fishery operates in a competitive market and it is imperative to not impose costs on one sector of the fishery that creates imbalanced market access.

We support Sub-Options 1, 2, 4 and 5.

1. Waivers will be necessary maintain stability in the fishery and achieve optimum yield. Any alternatives that would not allow fishing due to federal funding constraints is not consistent with federal law.
2. Exempting wing vessels in a pair trawl that do not carry fish is a practical alternative.
3. Do not support
4. A Council review after 2 years of implementation is appropriate
5. Exempting small trip of less than 25 mt. is appropriate.

In Summary:

We remain in support of an affordable monitoring program for the herring fishery, but are concerned the costs estimates in this action may not be sustainable. Our vessels operate at

approximately 2x the mean number of days (83) utilized to estimate costs to the fishery. In the summer months we are operating out of northern New England ports, often landing in a remote location; and in the winter months there is considerable market variation resulting in vessel trips at much less than capacity.

To maintain the viability of our operations, we request this action be as flexible as possible to meet the needs of our activities; and consider a high degree of caution in implementing significant unknown costs that provide low positive benefits to the herring resource and other managed species, negligible benefits to the environment and negative impacts to the herring fishery.

Thank you for the opportunity to comment on this Draft IFM Omnibus Amendment,

Mary Beth Tooley

Government Affairs
O'Hara Corporation






Document Details










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Submitter Info

Comment: Please find the attached comment from CHOIR. Thanks * 
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Organization Name: 
Cover Page: 



Coalition for the Atlantic Herring Fishery's Orderly, Informed and Responsible Long Term Development

November 7th, 2016

Mr. John K. Bullard
Regional Administrator, NMFS
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

Re: Comment on the Industry Funded Monitoring Omnibus Amendment

Dear John,

I am writing on behalf of CHOIR to comment on the Industry Funded Monitoring Omnibus Amendment (“Amendment”). CHOIR is an industry coalition made up of over 650 commercial and recreational fishing organizations, fishing and shore-side businesses, researchers and eco-tourism companies that all rely on healthy herring and mackerel resources. Before going into specific comments on the Amendment, we will first make a couple general comments.

This action is the culmination of a great deal of effort on behalf of fishery managers and stakeholders that began in 2008 in response to serious and widespread concern over the lack of accountability in the herring and mackerel midwater trawl fisheries. It must be noted that this is the second final action that has occurred in relation to this important matter. After four years of work, the public came out in force in 2012 during the comment period for final action on Amendment 5 in support of 100% observer coverage and a prohibition on slippage. Few fishery actions in recent times have garnered the level of public response that was seen during that comment period. In turn, the Council voted overwhelmingly in support of 100% coverage and strong slippage measures. But, as we all know, the agency then declined to approve the amendment—leading us to where we stand today.

Despite the strong support for 100% coverage and slippage accountability four years ago, we have somehow seen a decline in coverage rates in the herring midwater trawl fishery ever since. In fact, coverage over the past year was the lowest in a decade. The result: the largest and most powerful fleet in the region—a fleet that targets keystone forage species and is proven to have serious problems with bycatch—has been allowed to operate with essentially zero observer coverage. When you combine all the relevant factors—small mesh size, vessel speed and power, volume landed per tow, and the ability to fish anywhere in the water column—the potential for impacts by this fleet on the ecosystem

and those that rely on it are very high, and the excuses for allowing such a lack of accountability are non-existent.

As such, there is arguably more concern over what is happening on the water today than there was four years ago. But the public has lost faith in both the Council and NMFS after watching their massive level of effort and support lead to a disapproved action and an actual decline in accountability since 2012. The time has come for both the Council and NMFS to do what is necessary by choosing and implementing measures that finally address the lack of accountability in this fishery. As we have said all along, that will require two things: 100% monitoring and full slippage accountability. And both parts are equally important—it is a total waste of time if you put a system in place that addresses one without the other.

We will now offer our recommendations on how to get there.

Specific Recommendations

Herring

First and foremost, we want to make it very clear that our focus in this action is the midwater trawl fleet. While some in the herring industry have tried to lump both seiners and small-mesh bottom trawl (SMBT) vessels into the program in order to create delay and inaction, we believe the only priority moving forward should be to address the lack of accountability in the midwater trawl segment of the fishery. These boats are responsible for the majority of landings and have the most potential for bycatch due to the nature of their gear. While the Council and NMFS may choose to address the rest of the herring and mackerel fisheries at a later date, we strongly urge you to focus on the large midwater trawlers at this point in time.

Second, when we first began work on this action back in 2008, CHOIR's initial stance was that the best long-term solution in this fishery was to use Electronic Monitoring (EM). Our initial proposal laid out a maximized retention system that would couple the use of cameras on the vessels with a shoreside-monitoring program to allow for managers to gather adequate data on what was being caught in the fishery. After facing stiff opposition from the industry, we eventually shifted to supporting 100% observer coverage, but all along we believed that EM was the future. We have now come back to that position and feel that EM holds the most promise moving forward.

But there are a number of questions that arise when we start to envision an EM program in the herring and mackerel midwater trawl fisheries. First, is it possible that developing the EM system will take time? If so, we do not want to see a total lack of coverage in the interim. This fleet needs coverage now—not in a year or two—and so something needs to be in place while we develop the EM program. Second, is it also possible that after spending time developing an EM program, the Council and NMFS may determine it is not a feasible option? If so, we need a backup plan.

As such, we support moving forward with a ***modified Herring Alternative 2.7***. We support a modified version because we only want it to cover the midwater trawl fleet, while the purse seine and SMBT vessels would remain under SBRM coverage. We recommend choosing 100% ASM coverage under this alternative. And under an EM

program, we would recommend running the cameras from when the gear first goes into the water until the vessel hits the dock, while having a minimum of 50% shore-side monitoring. Levels of video review will be less important than the level of video coverage, but we would recommend 50% video review at a minimum.

Such a modified Alternative 2.7 will ensure that many of our concerns are covered. First, it will give the Council and NMFS time to develop the EM program without a period of time with little or no coverage. Under this alternative, while the pilot project is ongoing there will be a high level of ASM coverage in place to ensure accountability. Second, it will ensure that there is a strong monitoring program in place if the Council and NMFS find that EM will not work. And third—because ASMs are less expensive than NEFOP observers—it will do all of the above in a more affordable fashion than if NEFOP-level observers were chosen.

Now, it should be noted that this alternative technically allows for the industry to choose to use ASMs even if EM is shown to work, and therefore it could appear to go against our call for using an EM program in the future. But we are confident that a well-designed and effectively implemented EM program will be the obvious choice for those in the industry, and so this mixed alternative will ultimately turn into an EM alternative. But, in the unlikely scenario that ASMs are seen as the cheaper and better alternative, we are confident that they will allow for full monitoring and slippage accountability moving forward.

In regards to the **sub-options** listed in the document, we only support sub-options 2 and 4, and do not support the other sub-options. We *strongly* oppose sub-options 1 and 4. Sub-option 1, in allowing waivers, would potentially undercut the entire system since a waiver could theoretically be used on every trip in a fishing year. If the Council and NMFS foresee specific, genuine examples of when a waiver would be needed that does not create a massive loophole, it should try and limit the scope of the waiver sub-option in the document rather than simply allowing waivers across the board. And sub-option 3 makes absolutely no sense whatsoever—we have spent almost a decade on this action, it would be ridiculous to only put in a system for two years after implementation. This fleet needs strong monitoring forever if it wants to operate off our coasts.

Lastly, we will reiterate that any monitoring system that does not address slippage is a waste of time. So we hope that no matter what choices are made in the future, that the Council and NMFS ensure that slippage is fully considered. That means that, whether we use EM or ASMs, that slippage is accounted for and, if we do move forward with EM, that the slippage consequence measures in place now be carried forward.

Mackerel

We support choosing **Mackerel Alternative 2.5**. We would again recommend 100% ASM coverage. And under an EM program we would again recommend running the cameras from the moment the gear is first set into the water until the vessel is back at the dock along with a minimum of 50% shore-side monitoring. This would be partnered with a minimum of 50% video review. And as mentioned in the Herring section above, we only support sub-options 2 and 4, and strongly oppose sub-options 1 and 3.

Designing an EM Program

EM Pilot Project

First, we strongly support the effort by NMFS to conduct an EM pilot project in the midwater trawl fishery. But we believe that it is critically important for the agency to ensure that all relevant stakeholders are allowed to oversee the ongoing work being done under the project. There are two reasons for this. First, many of the non-herring stakeholders involved in management of the herring fishery have expertise on the ocean that may help inform the pilot project. If non-herring stakeholders are excluded from the process, it may hinder the project's success. And second, transparency is an important matter moving forward. If the public is kept in the dark as the project moves forward, it will only make matters worse. As such, we again strongly urge NMFS to find a way to keep interested stakeholders involved as the project is undertaken.

Also, we will attach at the bottom of this letter another letter we submitted to the agency in June of this year. This second letter outlines many of our concerns with how the PIP was structured at that time. While some of these concerns may have been addressed, we want to include the letter in full to have it on the record for this action.

Lastly, we would strongly urge the agency to bring in people involved in the day-to-day operation of the project that understand the gear and are able to troubleshoot in order to truly figure out if a certain problem can be addressed or not. These boats are not the most complex boats on the ocean, but it is vital to have people involved that can answer questions on their own instead of relying on a captain or crew to tell them if something can be done. The captain and crew may have something to gain by the project failing, and so the agency needs to remain vigilant.

In short, we strongly believe that a pilot project is absolutely essential to the efficacy of an EM program in the herring and mackerel midwater trawl fisheries. We commend agency staff for taking the initiative to find the necessary funding and time to get this rolling. But if the project is not done correctly than it may lead to a lot of lost time and money, and so we hope NMFS will do all it can to make sure the project is effective.

Specific EM Program Recommendations

First, as mentioned above, we believe that it is important for the EM program to be part of a larger system of maximized retention. Make the boats bring everything to port so that the shore-side monitors can sample and account for what was caught. This is the key to an EM program. And you must keep the slippage consequences in place to deter slippage—otherwise there is zero incentive for the captains to follow the rules. And to be clear, an affidavit is NOT adequate.

Second, it is critical that the cameras run from the moment the gear first goes into the water until the vessel hits the dock. If you stop running the cameras at any point after the first tow, then you will provide the vessel with a loophole. The level of video review is less important to the efficacy of an EM system than the video coverage level itself, but we would still recommend no less than 30% review. As long as the level is high enough, you can provide a deterrent without wasting money.

Third, as with any monitoring system in the herring and mackerel midwater trawl fisheries—it is critical for a full and accurate accounting of slippage to be central to the system. No amount of observer or camera coverage will be useful if slippage is not accounted for fully. We strongly recommend that the Council and NMFS keep the goal of slippage accountability front and center at all times.

While there are a number of steps that can be taken to ensure that an EM program accounts for slippage, we believe that using net sensors is of critical importance. These vessels all have net sensors that give the captains an accurate idea of what is in the net while it is being towed. By looping this data into the EM system, NMFS will have an easy method for knowing if slippage is occurring. For example, if the net sensors show that the net has 200,000 pounds in it, and then that net comes aboard empty, you will know catch was slipped. Perhaps the Study Fleet data can be brought into the system to help you in this regard. This and other steps are critical to an effective EM system.

Lastly, we urge the agency to work with HMS staff and other parts of the agency that have dealt with the implementation of EM programs in the past. There is a lot of expertise that can be brought into this process by talking with those that have already been down a similar road.

Conclusion

The herring and mackerel midwater trawl fleets are the most powerful fleets on the east coast. There is simply no excuse for these boats to have such a weak and inadequate monitoring system. While we understand that this has not been an easy process and that some delay was needed to get things right, the time has now come for action. We urge both the Council and NMFS to do what is right and put a strong monitoring system in place when it meets to make decisions on this Amendment.

Thanks for your time,

A handwritten signature in blue ink that reads "Stephen B. Weiner". The signature is written in a cursive style.

Steve Weiner, Chair



Coalition for the Atlantic Herring Fishery's Orderly, Informed and Responsible Long Term Development

June 13th, 2016

Mr. John Bullard, Regional Administrator
National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

Re: Mackerel and Herring Electronic Monitoring Pre-Implementation Plan

Dear John,

I am writing on behalf of CHOIR to provide comments on the Pre-Implementation Plan (PIP or pilot program) for electronic monitoring in the Atlantic mackerel and herring fisheries. CHOIR is an industry coalition made up of over 650 commercial and recreational fishing organizations, fishing and shore side businesses, researchers and eco-tourism companies.

We appreciate that GARFO has sought the money to develop this pilot program and that your staff has taken time to meet with us and provide some of the details we've been seeking for the last few months. However, the PIP, which is scheduled to begin in less than a month, will be unable to inform the future monitoring program unless serious changes are made to its design. We have identified the following problems and practical solutions that should be addressed prior to the start of this pilot program:

Problem No. 1: There is insufficient accountability in this fishery. Solution: We support the "key data analysis and reporting tasks" outlined in NMFS project summary document. In particular, we support efforts to: review 100% of all fishing activity, identify all discards, identify contents of the net at the end of pumping (i.e., operational discards), and identify interactions with protected species. However, the pilot goals are currently administrative in nature and should reflect the collection of this information. We recommend an additional goal to evaluate the efficacy of EM to detect all discarding activity and compliance with slippage requirements.

Problem No. 2: The slippage reporting and consequence measures will not apply to a PIP trip without an observer. Solution: Slippage restrictions and reporting requirements must apply on every "observed" trip (PIP or NEFOP). Testing EM's ability to monitor compliance with

slippage measures on only a portion of observed trips is not acceptable. The PIP must provide a complete examination of this issue, which is of tremendous concern to CHOIR and many other stakeholders.

Problem No. 3: The importance of operational discards is underestimated. Large amounts of slippage can occur at the end of a trip. Solution: Operational discards should be documented on all trips. This should be an explicit goal for this PIP. Pumping in the water is a problem to the degree that it is an obstacle to monitoring this fishery. Operators need to find a way to bring the net onboard—and we believe this is possible. But if they are unable to make their catch available for viewing, then maybe this gear is not fit for use in these fisheries.

Problem No. 4: The PIP standards are not well understood. Solution: NMFS should provide a list of specific standards that will guide the proposed EM/PS program through the PIP.

Problem No. 5: There is continued reliance on self-reporting in this fishery and there is trust that slippage is accurately documented. Solution: NMFS should ensure redundancy during the PIP and compare video review of the EM/PS PIP trips with the reports filed by the NEFOP observers on those same trips (37% of the time) for discrepancies. This analysis should be made public.

Problem No. 6: The PIP will not document the weight of slipped catch. Solution: NMFS should coordinate with the study fleet to ensure that participating vessels with net sensors document the weight of slipped catch.

Problem No. 7: The PIP should meet the goals of the IFM Amendment. NMFS project summary indicates that “identification of discarded fish is not necessary for the purpose of this project” but obtaining accurate estimates of catch (retained and discarded) is a specific goal for the IFM amendment. Solution: Revise the goals of the PIP.

Problem No. 8: The PIP will not improve the documentation of all catch (species composition) in this fishery. NMFS, NEFMC and MAFMC should view the PIP as an opportunity to collect necessary information to inform the development of a comprehensive EM/PS program, including design and implementation of a maximized retention (which should be a necessary component of this program). Solution: (1) NMFS should signal a move towards maximized retention – require all catch in this PIP to come to port (with limited exceptions) and audited discard logbook similar to the one used on the West Coast; (2) all vessels in the PIP should land in a port capable of portside sampling.

Problem No. 10: There’s a mismatch between PIP and final decisions on the IFM Amendment – the PIP concludes in fall 2017, final action in fall 2016, effective date is March 2017. Solution: Perhaps a Letter of Authorization to fish?

Problem No. 11: The funding limitation of \$400,000 will not allow all of these solutions. Solution: Run a pilot program with fewer vessels (2 or 3) in order to gather all of the information necessary to inform a future EM/PS program. Find incentives to reward these few participating boats. Maybe give them the cameras at the end of the PIP.

We have fought for many years to bring about better monitoring in this fishery. While we believe an EM pilot program has a lot of worth, it must be done right of else there will be a lot of wasted time and money. And we believe that unless the steps above are taken, this project will not have the ability to inform an effective monitoring program down the road.


Thanks for your time,

A handwritten signature in blue ink that reads "Stephen B. Weiner". The signature is written in a cursive style with a blue highlight underneath.

Steve Weiner, Chair






Document Details


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Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/08/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swo-k1wu 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Independent fishermen cannot afford to pay for observer coverage and stay in business under the current depressed fishing situation. It seems to me the observer program is a failure. I do not support industry funded observers. * 

First Name: Bruce * 

Middle Name: 


Last Name: Beckwith * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0075
Current Document ID:	NOAA-NMFS-2016-0139-0076
Title:	Comment from Denisl Lovgren
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/08/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/08/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swo-onk0 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: I am totally against paying for observers.I own and cooperate a 78 Draggd out of Point Pleasant N.J. Between paying for fuel and observers would put most fishing boats out of business.Only the Scallop fleet would survive.Paying observers 700dollars is the biggest Waste of money I know of. * 

First Name: Denisl * 

Middle Name: 

Last Name: Lovgren * 

Mailing Address: 306sudburyrd

Mailing Address 2:

City: Ptpleasant 

Country: United States 

State or Province: New Jersey 

ZIP/Postal Code: 08742

Email Address: Denislovgren@gmail.com

Phone Number: 7322952123


Fax Number:

Organization Name: 

Cover Page: 



Document Details

Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0076
Current Document ID:	NOAA-NMFS-2016-0139-0077
Title:	Comment from EC Newellman 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/07/2016 * 🔗
Date Posted:	11/08/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/08/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN:

Tracking Number: 1k0-8swq-bg77

Page Count: 1

Total Page Count Including Attachments: 1

Submitter Info

Comment: One has to wonder how much more costly economic and regulatory burdens have to be ram-rodged down the throats of fishermen, especially with the commercial fishing industry becoming one of the most regulated small business industries in the United States? NOAA, a federal agency with a 5.4 billion dollar budget, somehow believes that observers placed upon commercial vessels will some how provide them with more data on catch when NMFS already has years of this type of data that has already been collected in their files. This brings us to the point of the observers, with the North East Observer program currently having somewhere in the vicinity of a turnover rate of 50% of "so-called" trained observers leaving their job within the first year. What does this tell those in other industries with a federal government program that has a churn rate that high...something inherently wrong with those going into the program and the information they collect if they leave this type of work within such a short period of time? It also leads of to the question of "why"why shift the full cost to the fishing industry to collect fishery data? If a government agency wants this data, aren't they already being provided with the most updated fishery harvest and discard data which is already being sent to them through trip VTR reporting? If NMFS requires this type of commercial fishing data, then NMFS should find that money within their own bloated budget to fund such a program. If they cannot, then it is a BIG NO for the fishing industry to pay the cost of observers on their vessels. *

First Name: EC *

Middle Name:

Last Name: Newellman *

Mailing Address:

Mailing Address 2:

City:

Country:

State or Province:

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name:



Cover Page:







Document Details


Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0077
Current Document ID:	NOAA-NMFS-2016-0139-0078
Title:	Comment from Thomas Anderson 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/07/2016 * 🔗
Date Posted:	11/08/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/08/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	


XRIN: 

Tracking Number: 1k0-8swr-9g7c 

Page Count: 1 


Total Page Count Including Attachments: 1

Submitter Info

Comment: I am strongly against industry funded monitoring. If the government wants all this useless information, let them pay for it. This added expense will put a lot of people out of business. * 

First Name: Thomas * 

Middle Name: 


Last Name: Anderson * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:


Fax Number:

Organization Name: 

Cover Page: 



Document Details

Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0078
Current Document ID:	NOAA-NMFS-2016-0139-0079
Title:	Comment from Dave Aripotch 🌐
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/07/2016 * 🌐
Date Posted:	11/08/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/08/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	

XRIN: [🔗](#)
Tracking Number: 1k0-8swr-b0nd [🔗](#)
Page Count: 1 [🔗](#)
Total Page Count Including Attachments: 1

Submitter Info

Comment: These are my comments on the Omnibus amendment regarding and industry funded observer program. As an owner/operator in Southern New England, I cannot afford to pay for observer coverage. I support Omnibus Alternative one, No Action. We do not make enough profit to cover the expense of paying for observer coverage. I would like to point out that the ground fish fishery is now decimated even further than what catch shares initially did to the fleet in 2010 because of now being forced to pay for observer coverage. Scallopers, who are not affected by this amendment, get extra poundage on their trip to offset their costs. If NMFS/NOAA made the industry-funded program exactly like the scallop FMP and I was given a few hundred pounds extra of fish per trip to cover the cost, above the overall quota limit/TAC, depending on the fishery, say a few hundred pounds of seabass and a few hundred pounds of fluke on top of our small quotas, each time I took an observer it would make it more doable. \$800 to pay for an observer per trip would put me in the red on many of my trips otherwise. I'd have to remain tied to the dock. But since monitoring set-aside like the scallop FMP is only discussed as a part of Alternative Two, I cannot support that at this time. I cannot as an owner/operator, afford to pay for an observer on fishing trips. *[🔗](#)

First Name: Dave *[🔗](#)
Middle Name: [🔗](#)
Last Name: Aripotch *[🔗](#)
Mailing Address: P.O. Box 1036
Mailing Address 2:
City: Montauk [🔗](#)
Country: United States [🔗](#)
State or Province: New York [🔗](#)
ZIP/Postal Code: 11954
Email Address: captainhappy@optonline.net
Phone Number: 631-668-7654
Fax Number:
Organization Name: [🔗](#)

Cover Page:





Document Details

Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0079
Current Document ID:	NOAA-NMFS-2016-0139-0080
Title:	Comment from Gregg Morris
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/08/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

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Current Assignee:	NA
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Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: [🔗](#)
Tracking Number: 1k0-8swr-norv [🔗](#)
Page Count: 1 [🔗](#)
Total Page Count Including Attachments: 1

Submitter Info

Comment: Mr. John Bullard, As one that has been involved with the NMFS Fisheries observer program (as an observer and staff) for over 7 years, I share the many thoughts below and hope you rethink your payment plan for the observer program. It is the death nail to the small scale fishing industry if you don't. If you want to pay for it, then have the Saltonstall-Kennedy (SK) funds pay for it, after all the Fishery service has stole (taken it for themselves) for over a decade stayed from the original intent of the SKfund. I agree and share David Goethel comments as my own as well. Comment1) Monitoring is a function of government and should be funded at levels Congress deems appropriate through NOAA line items in the budget. Comment2) Magnusson allows for the placement of observers on fishing boats but is silent on cost recovery except in specific fisheries in the North Pacific Region. Comment3) The ability to place an additional economic burden on future fisheries without regard to the economic viability of that fishery is not addressed and could easily put future fisheries out of business. Comment4) Comment 3 requires a EIS not an EA to analyze fully the effects on the human environment. Comment5) Data ownership and price negotiation should be clarified. If fishermen are forced to pay government approved, for profit private contractors, fishermen should own the resulting data and have the ability to negotiate the costs on a vessel by vessel basis. Comment6) No discussion of the issue of observer bias is present in the document. When the government pays the observers, they are beholden to the government. When the industry pays, some observers could become biased in favor of the person paying the bill. This is already occurring in groundfish. It is subtle, but occurring, and probably unstoppable. Thus, the scientific utility of the data collected is uncertain. As a scientist, I would be very concerned with this issue. For all these reasons, I believe the best course of action is to withdraw the omnibus amendment and take up the issue with Congress when Magnusson is reauthorized. Sincerely Gregg Morris 187 Keene st Duxbury, Ma 02332 USA [*🔗](#)

First Name: Gregg [*🔗](#)
Middle Name: [🔗](#)
Last Name: Morris [*🔗](#)
Mailing Address: 187 Keene st
Mailing Address 2:
City: Duxbury [🔗](#)

Country: United States 

State or Province: Massachusetts 

ZIP/Postal Code: 02332

Email Address: Greggsoyster@gmail.com

Phone Number: 781-319-1977

Fax Number:

Organization Name: 

Cover Page: 



Document Details

Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0080
Current Document ID:	NOAA-NMFS-2016-0139-0081
Title:	Comment from Tim Champlin
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/08/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details


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Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	


XRIN: [🔗](#)
Tracking Number: 1k0-8swr-c1s6 [🔗](#)
Page Count: 1 [🔗](#)
Total Page Count Including Attachments: 1

Submitter Info

Comment: To Whom It May Concern: As a lifelong commercial fisherman and small boat owner/operator, I cannot support this omnibus legislation. NOAA has a terrible reputation for over-regulating this industry. They currently have a budget of 9 billion dollars and they cannot find 2 million to fund current observer programs. It is not my responsibility to fund govt science and stock assessments. It is strictly the sole responsibility of the agency to provide funding for their federal observers to take the necessary readings and evaluations for stocks. Magnuson has legal stipulations regarding this particular funding. At present, most boats are barely earning a living now with strict quotas and strict trip limits being forced upon the industry. To ask us to foot the bill at \$800.00 per day is unconscionable!! It is unacceptable, and I am saying NO!!! I will not pay federal taxes on the income that I do make give it over to NOAA and then be forced to pay again. They still owe the fishing industry hundreds of millions of dollars that they mis-spent under the Salston/Kennedy Act. They also abused their authority with charging vessels in the northeast 4 xs the amount of money in fines and violations over a 15-20 year period. Documentation is noted in the inspector generals report under the Gcell investigation prior to 2009. Forcing the industry to pay for observers at \$800 or even forcing us to use Electronic Monitoring at the ridiculous rate of \$50,000 is completely out of the scope of industry's ability. The federal govt must find another way or dissolve the program. It is that simple. Considering NOAA does not have the money with a budget of 9 billion, how does the agency expect us to pay when we are barely paying for maintenance and repairs to keep safety a priority. If they force us to pay for observers, we will forego maintenance and proper repairs and you will begin to see loss of life quickly coming into the picture. It is a necessity to stop the observer program or the agency must find the money elsewhere. We simply cannot afford to pay for it Sincerely, Tim Champlin Owner/operator FV Slacker Pt. Judith RI [*🔗](#)

First Name: Tim [*🔗](#)
Middle Name: [🔗](#)
Last Name: Champlin [*🔗](#)
Mailing Address: PO Box 1274
Mailing Address 2:
City: Charlestown [🔗](#)

Country: United States 


State or Province: Rhode Island 


ZIP/Postal Code: 02813

Email Address: Ub1tim@aol.com

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 






Document Details










Docket ID:	NOAA-NMFS-2016-0139
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0081
Current Document ID:	NOAA-NMFS-2016-0139-0082
Title:	Comment from David Bush
Number of Attachments:	1
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	
Comment on Document ID:	NOAA-NMFS-2016-0139-0001
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings
Status:	Posted
Received Date:	11/07/2016 *
Date Posted:	11/08/2016
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

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Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016
Comment Due Date:	11/07/2016
DOC Docket No.:	

XRIN: 
Tracking Number: 1k0-8swr-d8j1 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Please find our comments attached. * 
First Name: David * 
Middle Name: 
Last Name: Bush * 
Mailing Address:
Mailing Address 2:
City: 
Country: 
State or Province: 
ZIP/Postal Code:
Email Address:
Phone Number:
Fax Number:
Organization Name: NC Fisheries Association 
Cover Page: 

November 7, 2016

NC Fisheries Association
2807 Neuse Blvd
New Bern, NC 28562



Re: Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings

North Carolina Fisheries Association does not support additional financial burdens on our fishermen that are already struggling to adapt to ever-increasing regulations and harvest reductions, and as such opposes this amendment. Increasing the financial burden on fishermen not only increases the cost to the consumer, but further forces fishermen to increase effort on the stocks to make up for the loss, and potentially increases their risk of safety to do so.

In this case, the proposed amendment covers “...all of the fishery management plans managed by the Councils...” While there was a single opportunity described on the federal register for a webinar, for those who possess the capability of doing so in a characteristically non-technologically savvy demographic; the jurisdiction of these councils extends far below New Jersey. There was no reasonable opportunity for this representation down into the affected states of Maryland, Virginia, and North Carolina. Their involvement in the public hearings process was substantially truncated. NC fishermen, who stand to be severely impacted by this amendment, have not been given a single public hearing reasonably close enough for them to be expected to attend.

In addition to the lack of fair opportunity for representation, we further contest that this decision is not solely up to the council(s). While not applying specifically to this situation, areas where the industry shares or covers financial responsibility for information gathering and monitoring governed by the Magnuson-Stevens Act, the industry is represented and is part of the voting body. To demonstrate this, SEC. 312. TRANSITION TO SUSTAINABLE FISHERIES, paragraph (d), subsection (1) (B), states that “*The industry fee system shall be considered approved if the referendum votes which are cast in favor of the proposed system constitute at least a majority of the permit holders in the fishery, or 50 percent of the permitted allocation of the fishery, who participated in the fishery.*” Again, while not specifically applicable to this amendment, it has been made clear in the Magnuson-Stevens Act that participants in affected fisheries be given more than just an opportunity for public comment when an additional financial responsibility is placed upon them. Other than standard licensing fees and quota management agreements that may not specifically apply to this amendment, the MSA limits industry-funded programs to specific instances and only with industry agreement.

Furthermore, according to the Federal Register entry, the purpose of industry-funded monitoring would be to “...assess the amount and type of catch, more precisely monitor annual catch limits, and provide other information for management.” SEC. 402. INFORMATION COLLECTION, paragraph (a), subsection (1), states that “...If a Council determines that additional information would be beneficial for developing, implementing, or revising a fishery management plan or for determining whether a fishery is in need of

management, the Council may request that the Secretary implement an information collection program for the fishery which would provide the types of information specified by the Council. The Secretary shall undertake such an information collection program if he determines that the need is justified, and shall promulgate regulations to implement the program within 60 days after such determination is made..."

Subsection (2) goes on to state "...If the Secretary determines that additional information is necessary for developing, implementing, revising, or monitoring a fishery management plan, or for determining whether a fishery is in need of management, the Secretary may, by regulation, implement an information collection or observer program requiring submission of such additional information for the fishery..." The only mention of fiscal responsibility regarding this, spells out contracting authority for the performance of such information gathering by the Secretary to qualified entities. Again, where the Secretary will provide funding to those collecting the information.

If the need of this information is justified, it is specific and repeated in the Magnuson-Stevens Act, that it is the responsibility of the Secretary to obtain and provide for such funding as required to gather it.


In summary, the burden of funding is by doctrine and spirit the prerogative and responsibility of the Secretary. We adamantly oppose this amendment and ask that you revisit the recently reauthorized Magnuson-Stevens Act to ensure that that you have met the requirements of, and are operating in the spirit of its guidance. In addition, it should be a priority of these councils to ensure that if they truly value input by stakeholders, this notification should serve to inform them that they have missed a substantial segment.



David E. Bush Jr
Fisheries Biologist,
NC Fisheries Association
2807 Neuse Blvd
New Bern, NC 28562



Document Details

Docket ID:	NOAA-NMFS-2016-0139 🔗
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🔗
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🔗
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0082
Current Document ID:	NOAA-NMFS-2016-0139-0083
Title:	Comment from William Briggs 🔗
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS * 🔗
Document Subtype:	🔗
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🔗
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🔗
Status:	Posted 🔗
Received Date:	11/07/2016 * 🔗
Date Posted:	11/08/2016 🔗
Posting Restriction:	No restrictions 🔗
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details


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Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🔗
Comment Due Date:	11/07/2016 🔗
DOC Docket No.:	

XRIN: [🔗](#)
Tracking Number: 1k0-8swr-qts5 [🔗](#)
Page Count: 1 [🔗](#)
Total Page Count Including Attachments: 1

Submitter Info

Comment: Dear sirs, Please accept this letter as. Moment in full opposition against this regulation. As a owner/operator in the northeast fishing industry, I cannot support any measure that forces such an outrageous amount of money to pay for a federal observer. It is strictly the obligation of NOAA to pay for this program and Magnuson specifically states that inclusion. This ref was only discussed under the herring and mackerel management plans and now without warning, the council tells us it's for every fishery. This is unacceptable. It was never made clear that forced payment for observers were going to pertain to everyone. It seems very deceptive to suddenly state this reg was always meant for everyone when clearly discussion was limited to strictly herring and mackerel. NOAA has a massive budget of over 9 billion and they must find the money. Considering a former regional administrator owns the largest company that provides these observers is a huge conflict of interest. It must be said that it is absolutely unacceptable that this political insider continue to collect funds off the back of the industry, let alone the federal govt. The industry cannot afford to pay over \$750 per day to federal observers if NOAA clearly states they cannot pay for it either. If they have such a huge budget, they can find the money. I will not be able to continue in this industry if this omnibus goes forward. It is too much to ask of us and it is high time we said "Absolutely Not". We will no longer be told again and again that we must pay for something the federal govt is responsible for. Without having to go too far into politics, it is a simple question of how much does the agency expect of the very Industry it manages?? The heavily funded and well lobbied enviros are pushing this to sustain one particular company that has already been making millions of off tax dollars and now the NGOs are lobbying for more to fund this particular company. This cannot be allowed to go forward. This will completely bankrupt all the fishermen that have survived since catch shares. Sincerely, William Briggs Pt Judith RI [*🔗](#)

First Name: William [*🔗](#)
Middle Name: [🔗](#)
Last Name: Briggs [*🔗](#)
Mailing Address: PO Box 12, 26 Old Yawgoo School Rd
Mailing Address 2:
City: Exeter [🔗](#)
Country: United States [🔗](#)


State or Province: Rhode Island 


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Phone Number:


Fax Number:

Organization Name: 

Cover Page: 






Document Details


Docket ID:	NOAA-NMFS-2016-0139 🌐
Docket Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings * 🌐
Document File:	 HTML
Docket Phase:	Notice
Phase Sequence:	1
RIN:	Not Assigned 🌐
Original Document ID:	NOAA-NMFS-2016-0139-DRAFT-0083
Current Document ID:	NOAA-NMFS-2016-0139-0084
Title:	Comment from Bonnie Brady 🌐
Number of Attachments:	1
Document Type:	PUBLIC SUBMISSIONS * 🌐
Document Subtype:	🌐
Comment on Document ID:	NOAA-NMFS-2016-0139-0001 🌐
Comment on Document Title:	Fisheries of the Northeastern United States: Omnibus Amendment Public Hearings 🌐
Status:	Posted 🌐
Received Date:	11/07/2016 * 🌐
Date Posted:	11/08/2016 🌐
Posting Restriction:	No restrictions 🌐
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	11/08/2016
Current Assignee:	NA
Status Set By:	Luers, Daniel (NOAA)
Comment Start Date:	09/20/2016 🌐
Comment Due Date:	11/07/2016 🌐
DOC Docket No.:	


XRIN: 
Tracking Number: 1k0-8sws-16zu 
Page Count: 1 
Total Page Count Including Attachments: 1

Submitter Info

Comment: Please accept these comments on behalf of the Long island Commercial Fishing Association: Please see attached * 

First Name: Bonnie * 

Middle Name: 

Last Name: Brady * 

Mailing Address:

Mailing Address 2:

City: 

Country: 

State or Province: 

ZIP/Postal Code:

Email Address:

Phone Number:

Fax Number:

Organization Name: 

Cover Page: 



Long Island Commercial Fishing Association

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Phone 516-527-3099~ Fax 631-668-7654~E-mail Greenfluke@optonline.net

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Sustainable Fisheries *and* Fishermen for the 21st Century

Nov 7, 2016

Mr. John K. Bullard,
Regional Administrator, NMFS
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930
Re: Comments on the IFM Omnibus Amendment

Dear John:

I am writing today on behalf of the Long Island Commercial Fishing Association, (LICFA) which represents fishermen from 11 different fishing-gear types in 14 ports throughout Long Island, where 99% of New York's seafood is landed. In 2015, New York's fishermen caught over 24 million pounds of sustainable seafood, worth just under \$50 million dollars to our coastal economies.

These comments below are directed to the Industry-Funded Monitoring Omnibus Amendment.

LICFA supports Omnibus Alternative 1 (No Action) for the following reasons:

As one of the smaller fishing fleets in Southern New England, those that are primarily owner/operators, New York fishermen cannot afford the cost of paying for observer coverage. Not to augment the data requests of the councils, nor to pay for SBRM under the possibility that SBRM may become somewhat defunded in the future.

At present rates according to the draft document, the cost for an observer would be on average \$800/per day. There are days when fishermen make less than half of that, with a crew of three. Forcing that cost onto industry would force probably more than half of the entire NY fleet to be tied to the dock. If we were to, as an example, use the 2016 SBRM and other observer coverage that NY has been assigned for seadays, 2,961 for 2016, that cost would equal almost \$2.4 million to

the fleet. If New York's fleet were forced to pay for that, it would cripple New York's commercial fishing industry.

Now, while the IFM-Omnibus Amendment states that the industry-funded observer coverage paid for would only be used for additional data requests of the councils, it also refers, on Page 5, second paragraph of the public hearing document, to "this action is needed for the Councils to prioritize industry-funded monitoring programs across fishery management plans when available Federal funding falls short of the total needed to fully fund all monitoring programs."

So should federal funding of SBRM somehow become unavailable, as was discussed in the Standardized Bycatch Reporting Methodology Amendment of the Greater Atlantic Region, approved on July 30, 2015, <https://www.federalregister.gov/d/2015-15619> the possibility exists that if the Omnibus IFM amendment were to be approved, it may in fact be used to pay for SBRM if NMFS for whatever reason loses funding. This is unacceptable.

The only possible way to move forward with any form of this amendment is to first and foremost create a process, as is listed in Omnibus Alternative 2.6, to help fund any new or augment any present observer cost program through a cost-recovery setaside program. In other words, NMFS must create a setaside funding mechanism, one that does not penalize industry, prior to creating any further FMP observer programs.

One suggestion would be to mirror the funding mechanism of the scallop fleet as they created in their Amendment 13 to the Atlantic Sea Scallop program, in which they have funded their observer program by being given an additional overall quota above the TAC to cover observed trips across the fleet, renegotiated on a yearly basis, so that they are not put in a position where they are penalized financially for carrying an observer. That is the ONLY portion of the "Omnibus Alternative 2" of this amendment that should go forward. Everything else, Omnibus Alternative One, No Action.

As far as the public comment period of this amendment, as an omnibus amendment every state could be affected, yet NMFS did not even attempt to have at least one meeting in each state. The closest meeting to NY was in Rhode Island.

Additionally, though this amendment could have far-reaching consequences for industry across multiple fisheries, there was not so much as one discussion of this subject that I recall in the last two years of MAFMC and NEFMC advisory panel meetings that at least I have attended as an advisor to the groundfish, spiny dogfish, scup/seabass/fluke, or ecosystem and ocean planning advisory panels. Especially in light of the discussion on page 14 of the document re valued ecosystem components, (VECs), the fishery management council Advisory panels should have been notified and a discussion should have taken place far before now.

The ports in which there were actual public meetings held were only those ports that were considered mackerel and herring ports, though as I mentioned before, this amendment is in fact an omnibus amendment, ergo, all Greater Atlantic region fisheries

may be affected. Every state, at least every state's largest fishing port, should have had a public meeting held. That is also unacceptable.

If NMFS/NOAA is to require observer coverage of the commercial fishing industry as a prerequisite to going fishing, then it is the opinion of our association that NMFS/NOAA and NMFS/NOAA alone should be the agency in charge funding it, through FY budget funding, a line-item appropriation, or through a setaside program that allocates additional quota above the TAC. The onus for NMFS required observer coverage should be on NMFS, not industry. It is cost prohibitive.

Thank you for allowing me to submit comments.

Sincerely

Bonnie Brady

Long Island Commercial Fishing Association

X Northeast Fishery Sector Inc.
205 Rockland St.
Dartmouth, MA 02748

November 4, 2016

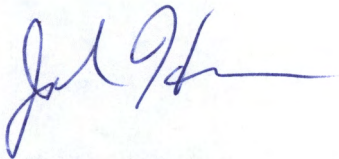
John Bullard, Regional Administrator
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

John Bullard:

Sector 10 only has one boat fishing and there are 20 permits in the sector. The Sirius, the only boat to continue fishing has been landing 500 to 700 lbs of fish a trip. It is financially impossible to take \$700 a day from the daily catch and remain in business.

It is unconscionable of NOAA to pursue any program of shifting the cost of ASM to the industry, since NOAA has known for years industry cannot and will never be able to absorb these costs.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Bullard", with a long horizontal flourish extending to the right.

X Northeast Fishery Sector Inc.

NOV -7 2016

XIII Northeast Fishery Sector Inc.
205 Rockland St.
Dartmouth, MA 02748

November 4, 2016

John Bullard, Regional Administrator
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930


John Bullard:

For the last four years, Sector 13 has predicted only one boat out of fifty permits will continue to fish once At Sea Monitoring costs are shifted to industry. Our prediction has come true. The Buzzards bay is the only boat of the original 50 permits still fishing. Sector 13 was fortunate to have ten permits join the sector for FY 2016 and only 2 of those ten are fishing for groundfish.

The burden of ASM costs is unsustainable for the groundfish industry.

Sector 13 continues to have problems with observers and requests an arbitration board be set up to hear our issues and complaints.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Bullard". The signature is fluid and cursive, with a long horizontal stroke at the end.

XIII Northeast Fishery Sector Inc.

NOV -7 2016

11/07/16

To whom it may concern

I am writing this letter against paying for observer coverage. Just the thought of paying up to 700.00 dollars for an observer before even leaving the dock or any price is unacceptable. With the current quota reductions in gom cod to lease or buy at market price is a middle class jobs killer theirs no money to be made. Especially in a small day boat fishery to have an observer lined up to go fishing to have bad weather happen to cancel fishing trip at last minute without proper notice and still having to pay observer coverage is also unbelievable. Please except these comments in good will because iam living on a thread of dignity.

Philip Brazao
F/V Sarah Ann

A handwritten signature in black ink, appearing to read 'Philip Brazao', written in a cursive style.

NOV - 8 2016